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650,06 16/2/2012 17/2/2012

Nangalia Pokarmal Educational Society

BJJ8 Chairman

Principal Modi Publid School, Siliguri



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PST ASOC Chairman

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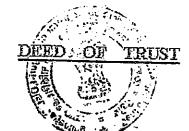


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THIS DEED OF TRUST S MADE THIS THE 16TH DAY

OF THE MONTH OF FERRUARY

TWO THOUSAND TWELVE (2012),

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Modi Public School, Siliguri

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SRI BIJAY AGARWAL, SON OF SRI JAICHAND AGARWALA. An Indian Citizen, Hindu by faith, businessman by occupation, resident of Sreeram Colony, Sevoke Road, P.O. and P.S.-Siliguri, Pin Code-734001, District-Darjeeling, in the State of West Bengal, (hereinafter referred to as "THE SETTLER") of the FIRST PART;

1.SRI DHARAM CHAND AGARWAL, SON OF LATE POKARMAL AGARWAL, An Indian Citizen, Hindu by faith, businessman by occupation, resident of Narayani Kunj, Sreeram Colony, P.O. and P.S.-Siliguri, Pin Code-734001, District-Darjeeling;

2.SRI ANAND AGARWAL, SON OF SRI DHARAM CHAND AGARWAL. An Indian Citizen, Hindu by faith, businessman by occupation, resident of Narayani Kunj, Sreeram Colony, P.O. and P.S.-Siliguri, Pin Code-734001, District-Darjeeling;

3.SMT. LILA AGARWAL, WIFE OF SRI BIJAY AGARWAL, An Indian Citizen, Hindu by faith, housewife by occupation, resident of Sreeram Colony, P.O. and P.S.-Siliguri, Pin Code-734001, District-Darjeeling and

4.SMT. SUSHMA AGARWAL, WIFE OF SRI ANAND AGARWAL, An Indian Citizen, Hindu by faith, housewife by occupation, resident of Narayani Kunj, Sreeram Colony, P.O. and P.S.-Siliguri, Pin Code-734001, District-Darjeeling;

The persons named at no.-1 to 4 above are all hereinafter referred to and called as "THE TRUSTEES") of the <u>SECOND PART</u>.

WHEREAS the settler has been cherishing a desire to establish a benevolent fund under trust for advancement of education and learning in all useful fields in particular and promoting and carrying out various other charitable purposes including objects of public utility in general in greater interests of mass public;

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WHEREAS in pursuance of that desire, the SETTLER has decided to settle a sum of Rs. 1,11,111/- (Rupees One Lakh Eleven Thousand One Hundred Eleven Only) upon trust for the charitable purposes and objects of public utility as aforesaid and the whole of such sum shall form part and parcel of the CORPUS of the TRUST FUND of the TRUST;

AND

WHEREAS each of the TRUSTEES named herein above has given consent to be the TRUSTEE of the TRUST for administering and managing the affairs of the TRUST in accordance with the terms and conditions hereof and more effectually so confirmed by execution of these presents.

NOW, THEREFORE, THIS INDENTURE DECLARES, AFFIRMS AND WITNESSETH AS UNDER:

1 – NAME & REGISTERED OFFICE

THAT the TRUST hereby constituted and settled, expressed or intended so to be, in pursuance of the premises contained herein before shall be designated as "NANGALIA POKARMAL EDUCATIONAL SOCIETY" and the registered office of the TRUST shall be at the care of Ghosh Nursery Building, Sevoke Road, P.O. and P.S.-Siliguri, District-Darjeeling or at any suitable place in the city of Siliguri or at such other place as the TRUSTEES for the time being may decide from time to time.

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2 - NATURE & SCOPE OF THE TRUST

THAT the TRUST hereby constituted and settled, expressed or intended so to be, shall be an irrevocable Charitable Trust for the furtherance of the charitable purposes and objects of public utility of non-profit making nature in the territories of India irrespective of caste, creed and religion and the TRUST FUND or any part thereof shall not be used, utilised or applied otherwise.

3 - TRUST FUND - CORPUS & GENERAL FUND

THAT the TRUST FUND shall comprise of all that sum of Rs. 1,11,111/- (Rupees One Lakh Eleven Thousand One Hundred Eleven Only) hereby settled and handed over by the SETTLER to the TRUSTEES upon trust as well as all contributions made by the TRUSTEES in accordance with the terms of these presents and all voluntary contributions received hence forth by the TRUST with a specific direction that the same shall form part of the CORPUS of the TRUST shall be called and referred as CORPUS FUND, which term shall mean and include all conversions thereof and investments for the time being in any mode and manner whatsoever) AND all voluntary contributions other than those stated above received hence forth by the TRUST as well as income of the TRUST by any or all means and accumulations thereof shall be called and referred as GENERAL FUND, which term shall mean and include the conversions thereof, accretions thereto and / or investments thereof for the time being in any mode and manner whatsoever.

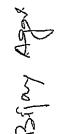
4 - APPLICATION OF TRUST FUND AND AIMS & OBJECTS

THAT the TRUST FUND as fully described herein above shall be held and possessed by the TRUSTEES upon trust to apply the same for all or any of the following charitable purposes or objects of public utility of

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non-profit making nature through any suitable plan, project, program or scheme either individually or jointly and / or in collaboration with any other voluntary social or benevolent organization, charitable trust, registered society, Union or State Government, Local Authority, Statutory Authority, Chamber of commerce, Public or Private Sector Undertaking, recognized school, college, university, educational Institute, educational board or training institute in India or abroad or whomsoever in such manner as the TRUSTEES may deem fit and proper and to meet all expenses in relation to the management and administration of the TRUST or maintenance and up-keep of the TRUST FUND including assets and properties subject to trust and incidental expenses in relation thereof:

- (a) Advancement of education, technology and human expertise, diffusion of knowledge, industrial, vocational and occupational training, personality grooming, skill development and research of all types in all fields of learning including art, craft and culture as well as illiteracy eradication in particular and promoting and carrying out various other charitable purposes including objects of public utility in general in greater interests of mass public;
- (b) Setting up and / or running schools, colleges, training institutes, universities or other places of learning as well as creating, providing, running, administering or maintaining educational projects or facilities as well as rendering services or providing consultancy in relation thereto.
- (c) Relief of the poor and down trodden including widows, destitute, orphans, aged persons, retired persons, senior citizens, refugees, slum dwellers and socially backward communities as well as their social and economic uplift.

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- (d) Medical relief to the suffering humanity in general in all its terms and connotations including programs of health care, hygiene and nutrition and eradication of polio, leprosy, cerebral palsy and rickets in particular.
- (e) Promotion of family welfare programs like family planning, group marriages, settlement of conjugal disputes as well as other family disputes and eradication of superstitions and other social evils.
- (f) Legal aid to poor litigants and victims of superstitions and social injustice.
- (g) Rural Development work in all its manifestations including adoption of villages for integrated development, training of persons for carrying out rural development work and creation of gainful self-employment opportunities for rural youth.
- (h) Relief during natural calamities or disasters including epidemics, enemy war, communal disturbances, riots, terrorism and / or the like.
- (i) Welfare of the physically handicapped including deaf, dumb and blind or mentally retarded persons in all possible manners.
- (j) Promotion of civic amenities and infrastructure development in every possible way.

(k) Grant of financial aid and assistance or direct donations to registered or otherwise well recognized voluntary social / benevolent

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organizations or charitable institutions for implementing social welfare activities.

(1) Promotion and advancement of objects of general public utility not involving the carrying on of any activity for profit or any other charitable purpose for the benefit of suffering humanity, weaker sections of the society or those in distress and not specifically covered by any of the foregoing clauses.

5 - COMPOSITION OF BOARD OF TRUSTEES

(a) THAT there shall be a BOARD OF TRUSTEES to look after day to day administration and management of the affairs of the TRUST. The minimum number of trustees shall be three and the maximum number of trustees shall be twenty-five. One of the members of the parties hereto shall be appointed as Chairman of the TRUST and one of the Trustees hereto shall be appointed as Managing Trustee of the TRUST. Any of the Trustees can also be the Chairman of the Trust. The first BOARD OF TRUSTEES shall have five Trustees, being the TRUSTEES named herein above and the constitution of the first Board of Trustees shall be as under:

CHAIRMAN SRI BIJAY AGARWAL
MANAGING TRUSTEE SRI ANAND AGARWAL
TRUSTEE SMT. LILA AGARWAL
TRUSTEE SMT. SUSHMA AGARWAL

- (b) The first board of trustees, as mentioned herein above, shall be the permanent trustees of the trust.
- (c) All other Trustees to be appointed subsequently will hold office for a period of 2 years after which one-third of them shall retire by rotation on the basis of their seniority.

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(d) The term of office of the Permanent Trustees shall be for their respective lives.

6 - POWERS OF BOARD OF TRUSTEES

THAT the day to day administration and management of the affairs of the TRUST shall be looked after by the BOARD OF TRUSTEES and the BOARD OF TRUSTEES shall have the following powers in addition to general powers of administration and management:

- (a) To nominate any person of their choice qualified to be a Trustee by their unanimous mutual consent subject to overall maximum limit and to fill up any vacancy arising at any time similarly at their sole discretion keeping however in mind that the minimum number of trustees is not less than three on any point of time.
- (b) To recruit or appoint staff and to avail the services of academicians, technicians, consultants, professionals and the like on salary basis, retainer basis or contract basis or otherwise as may be deemed fit and proper as per requirements of the TRUST as well as to fix their remuneration, or honorariums as well as to terminate services of all or any of them.
- (c) To invite and receive or receive without any such invitation any voluntary contributions from whomsoever in any form for the benefit of the TRUST as per guidelines, principles and policies contained under these presents or as decided by the TRUSTEES for the time being.
- (d) To invest the TRUST FUND in such form and in such manner as thought appropriate and proper and may at any time convert such investment or investments in any other suitable mode or form, subject however to the permissive provisions contained in the

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Income Tax Act, 1961, or any re-enactment thereof for the time being in force.

- (e) To regulate, control and apply the TRUST FUND of the TRUST including investments and / or conversions thereof in accordance with the term of these presents.
- (f) To acquire by way of purchase or on lease or rent or otherwise movable as well as immovable properties and to erect and construct building or buildings on the land or lands owned and possessed by the TRUST or otherwise develop such land or lands and to grant lease, sub-lease or sub-let any of the properties of the TRUST to anyone whomsoever for such purposes and for such consideration as deemed fit and proper or to dispose of all or any of the properties of the TRUST or any part thereof in such manner as may be deemed fit and proper or to pull down, renovate, re-build, re-construct, renovate, improve, develop, repair, alter or modify any of the properties of the TRUST for better use and utilisation.
- (g) To borrow funds from banks, financial institutions or other resources against security of the assets and properties of the TRUST or without security bearing interest or without interest for the furtherance of the aims and objects of the TRUST and to do the needful for that purpose.
- (h) To make rules and regulations for administration and management of the affairs of the TRUST, meetings of the BOARD OF TRUSTEES, filling up vacancies in the BOARD OF TRUSTEES, safe custody of assets and properties including title deeds thereof; maintenance and up-keep of various including minute books, books of accounts, cheque books, receipt books and other valuable documents or valuable articles or any other matter affecting the functioning, management or administration of the TRUST in any way.

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- (i) To decide, assign and fix the duties functions and powers of the OFFICE BEARERS as well as the TRUSTEES from time to time as per requirements of the TRUST in the light of prevailing circumstances.
- (j) To compromise or compound any action, legal suit or proceeding, prosecution, dispute or controversy, demand or claim or the like pertaining to the affairs of the TRUST upon such terms and conditions and in such manner as deemed fit and proper or to refer the same for arbitration under the Conciliation and Arbitration Law for the time being in force and to do all acts, deeds and things necessary, expedient or incidental thereto.
- (k) To widen the scope of the TRUST of these presents including its aims and objects as may become necessary under the prevailing circumstances at the opportune time or to modify such of the provisions of these presents as may become so necessary under any law in force for the time being as may be approved unanimously by a SPECIAL RESOLUTION to that effect passed and adopted in a meeting of the Board OF TRUSTEES convened for that purpose.
- (I) To amalgamate the TRUST of these presents with another irrevocable public charitable trust having altogether or substantially similar aims and objects on such terms and conditions as may be approved unanimously by a SPECIAL RESOLUTION to that effect passed and adopted in a meeting of the Board of Trustees convened for that purpose.
- (m) To appoint statutory auditor(s), internal auditor(s) or special auditor(s) for such term as decided in the meeting of the Board of Trustees and fix his/her/their remuneration or remove any of them.

(n) To publish books, journals, periodicals, souvenirs, bulletins, newsletters, booklets, pamphlets or leaflets highlighting its aims and

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objects or achievements for general information of the public as well as for diffusion of knowledge in one or more fields of its interests as apparent from its aims and objects.

- (o) To apply for, procure, obtain or get registered trademarks, patents, copyrights and the like to keep the rights and interests of the Trust protected and safeguarded.
- (p) To nominate or appoint constituted attorney or attorneys for effectively carrying out any of its duties and functions with or without remuneration and to remove all or any of them.
- (q) To do all such acts, deed and things as may be necessary, expedient or incidental to carrying out the objects of the TRUST not consistent either with the specific provisions contained in these presents or with any law of the land.

7 - RESTRICTIVE USE AND APPLICATION OF TRUST FUND

THAT the TRUST FUND or any income or property subject to the TRUST or any part thereof shall not be used, utilised or applied directly or indirectly for the benefit of any person referred in Sub-Section (3) of Section 13 of the Income Tax Act, 1961 or any re-enactment thereof for the time being in force in any manner prohibited under the relevant provisions of the said Act or re-enactment.

8-MEETINGS OF TRUSTEES

(a) All the meetings of the Trustees shall be held at such place as the Trustees may from time to time decide.

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- (b) Notice of the meeting of the Trustees and all communications may be sent to the Trustees at their respective addresses registered for the time being in the records of the Trust.
- (c) Quorum for meetings of the Board of Trustees shall be a minimum of three Trustees.
- (d) The minutes of the proceedings of every meetings of the Trustees shall be entered in a book to be kept for that purpose and signed by the Chairman of such meeting or of the following meeting when they are read over and shall when so entered and signed, be the conducive evidence of the business and other matters transacted at such meeting.
- (e) A resolution in writing circulated amongst all the Trustees and passed by a majority of the Trustees shall be as valid and effective as if it had been passed at a meeting of the Trustees duly called and convened.

9 - ACCUMULATION OF INCOME

THAT in case the income of the TRUST or voluntary contributions received by the TRUST forming part of the GENERAL FUND in any particular financial year is not fully utilised, the surplus as such shall be carried over to the succeeding financial year or years and the accumulations thereof shall be invested and/or applied in the manner prescribed under the Income Tax Act, 1961 or any re-enactment thereof for the time being in force and the necessary approval be obtained from the concerned authority wherever necessary for the purposes of enjoying tax benefits or other privileges.

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10 - PROHIBITION OF REMUNERATION TO TRUSTEES

THAT the TRUSTEES shall not be entitled to receive any remuneration as TRUSTEES or as members of the BOARD OF TRUSTEES or for holding any office therein, but may reimburse themselves of the actual expenses incurred legitimately in connection with the affairs of the TRUST.

11 - ACCOUNTABILITY OF TRUSTEES

THAT the TRUSTEES shall be respectively chargeable and accountable only for such moneys, funds, stocks, securities, assets and properties as they actually receive or possess, notwithstanding their signing any receipt thereof for the sake of confirming and shall be answerable, chargeable and accountable for only their own acts, deeds, omissions, commissions, neglects and defaults and not for those of each other and not for those of any banker, agent, bailee or any other person or persons in whose name or names jointly and/or severally or in whose custody similarly the moneys, funds, stocks, securities, assets and properties of the TRUST may have been kept, placed or deposited or may be lying and not for the inefficiency or deficiency thereto or for the depreciation, depletion or loss unless the same happens by their willful neglect or default.

12 - BANK ACCOUNT AND OPERATION THEREOF

THAT the bank account or accounts of the TRUST shall be in the name of the TRUST and may be opened by the any two of the trustees, one of whom shall be either Chairman or Managing Trustee of the Trust, on behalf of the TRUST and all such account or accounts may be operated by any of the Trustees authorized in the meeting of the Board of Trustees.

Modi Public School, Siliguri

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The bank account or accounts may also be in the name of any designated activity, specific project or institution carried on, run or established by the TRUST on approval of the Board of Trustees and the modus operandi of operation of such account or accounts shall also be approved by the Board of Trustees.

13 – ACCOUNTING YEAR OF TRUST

THAT the accounting Year of the TRUST shall be the financial year beginning the first day of the month of April and ending as on 31st day of the month of March and the first accounting year of the TRUST shall be the period beginning the date of execution of these presents and ending as on the 31st day of the month of March, 2009.

14 - MAINTENANCE OF ACCOUNTS & AUDIT THEREOF

THAT the BOARD OF TRUSTEES shall cause true and accurate accounts of receipts and payments as well as incomes and expenditures and of the assets and liabilities of the TRUST to be regularly kept and maintained at the registered office of the

TRUST for the time being and get the final accounts audited by an external qualified Chartered Accountant and obtain the Audit Report as per Law in force for the time being.

15-REGISTRATION OF TRUST DEED AND TRUST

THAT the TRUST of these presents shall be get registered under Section 12A of the Income Tax Act, 1961 and the TRUSTEES shall take necessary efforts for registration as such as well as procuring appropriate Exemption Certificate under Section 80G of the Income Tax Act, 1961

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including renewal thereof from time to time and at all times under the said enactment or any re-enactment thereof for the time being in force.

16 - AMENDMENT OF PROVISIONS OF TRUST DEED

The provisions contained in the TRUST DEED hereof except the name of the TRUST may be amended if at all required to be, by the majority of at least clear two third of the TRUSTEES for the time being of the TRUST through a Special Resolution to be adopted in the meeting of the Board of Trustees.

17 - VACATION OF OFFICE OF TRUSTEES

A person shall cease to be a Trustee in any of the following events:-

- (a) If he dies; or
- (b) If he becomes bankrupt; or
- (c) If he becomes insane or otherwise becomes incapable to act; or
- (d) If he resigns his office;

18 - APPOINTMENT OF NEW TRUSTEES

(a) After the completion of the tenure of office of the Trustees, they shall retire but shall be eligible for reappointment.

(b) Filling in of vacancies shall be by a decision of the Board of Trustees. As far as possible, efforts shall be made to fill in the vacancies by unanimous decisions failing which the majority decision shall prevail.

19 - EFFECT OF APPOINTMENT OF NEW TRUSTEES

Upon every such appointment made in pursuance of the last foregoing clauses thereof, the newly appointed Trustees shall have powers and authorities of a Trustee under THESE PRESENTS.

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20 - POWERS TO APPOINT COMMITTEES

The Board of Trustees shall be entitled from time to time to appoint with or without remuneration and on such terms and conditions as they may think proper, to appoint Committee as they may think proper to function under the authority and control of the Trustees for carrying out the objects of the Trust of these presents or the management thereof and invest them with all such powers including power to incur all such expenditure as may be necessary for carrying out the objects of the Trust.

21. POWER TO AMALGAMATE OTHER TRUST OR VICE VERSA

The Trustees shall be at liberty to allow or to be allowed and permit, or to be permitted to amalgamate or to be amalgamated with any other Trust, Institution or Charity, in any area or areas whose objects are the same or similar to those of THESE PRESENTS, PROVIDED, they are not inconsistent with or repugnant to the objects hereof.

22. INDEMNITY TO THE TRUSTEES ETC.

The Trustees for the time being of THESE PRESENTS, shall be chargeable only for such monies, stocks, funds, deposits and securities as they shall actually receive, notwithstanding their signing of any receipt for the sake of conformity and shall be answerable or accountable only for their own acts, receipts, neglects, defaults, and not for those of others or

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any banker, auctioneer or any other persons with whom or into whose hands any trust monies or securities may be deposited in accordance with THESE PRESENTS nor for the determination or loss of any stocks, funds, deposits or securities not for any defects or insufficiency of title nor for any other losses unless the same shall happen through their own neglect or willful demeanour.

23. POWER TO REIMBURSE:

The Trustees of THESE PRESENTS ARE entitled to be reimbursed and also to pay and discharge out of the Trust Fund, all expenses incurred by them or on their behalf in or about the execution of the Trusts and powers of THESE PRESENTS in accordance with the decision of the Board of TRUSTEES.

24 – DISSOLUTION OF TRUST

The TRUST could be dissolved if at all required to be, by the majority of at least clear three fourth TRUSTEES of the BOARD OF TRUSTEES for the time being of the TRUST through a Special Resolution to be adopted in the meeting of the Board of Trustees and in case of such dissolution, all the assets and properties of the TRUST forming part of the TRUST FUND including CORPUS of the TRUST after discharging all liabilities of the TRUST whatsoever shall be donated to any other similar public charitable trust or charitable society or charitable institution or benevolent fund or any relief fund of the Union Government like Prime Minister's Relief Fund or other similar Funds for the welfare of the public or one or more of them and same shall not be divided, shared, distributed, appropriated, diverted or transferred in any way or in any manner between or amongst the TRUSTEES and/or SETTLER under any circumstances.

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IN WITNESS WHEREOF THE PARTIES HERETO HAVE SET THEIR RESPECTIVE HANDS ON THE DAY, MONTH AND THE YEAR FIRST ABOVE WRITTEN

WITNESSES TO	ALL	THE	SIGNAT	ORIES:
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मानेनगर सिपीगिरी	SRI BIJAY AGARWAL – PARTY OF THE FIRST PART (THE SETTLER)
S. S.	RI DHARAM CHAND AGARWAL.
2. Syloy Sinkin Go Sambhunath Sankan	Anava Afarmal SRI ANAND AGARWAL.
Baghylatin Road, Siligan	Lila Agarwal. SMT. LILA AGARWAL.
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SMT. SUSHMA AGARWAL.
PARTIES OF THE SECOND
PART (THE TRUSTEES)

Drafted, read over and explained by me and printed in my office.

(SANJAY KUMAR MARODIA)

ADVOCATE: : SILIGURI REGN. NO. 849/840/92.

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Hrincipal Modi Public School, Siliguri

EXECUTANT/CLAIMANT SHEET

THE SETTLER

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Bijay Agarwal

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Signature of Identifier

Signature of R.O.

Lila Agarwal
Signature

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Principal
Modi Public School, Siliguri

TRUSTEE NO -- 1

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Signature with date

TRUSTEE NO: -2

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Signature with date

EXECUTANT/CLAIMANT SHEET

TRUSTEE NO. - 4 Middie Finger | King Finger | Little Finger PHOTO. Thumb Fore Finger Laft Kand | Right Hand



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Signature of Identifier Signature of R.O.

Signature

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Modi Pusio School, Siliguri

Endorsement For Deed Number: IV - 00113 of 2012 (Serial No. 00492 of 2012)

On

Payment of Fees:

On 16/02/2012

Presentation(Under Section 52 & Rule 22A(3) 46(1), W.B. Registration Rules, 1962)

Presented for registration at 17.30 hrs on :16/02/2012, at the Private residence by Sri Bijay Agarwal Executant.

Admission of Execution (Under Section 58, W.B. Registration Rules, 1962)

Execution is admitted on 16/02/2012 by

1. Sri Bijay Agarwal, son of Sri Jaichand Agarwala , Sreeram Colony, Sevoke Road, SILIGURI MC, Thana:-Siliguri, District:-Darjeeling, WEST BENGAL; India, P.O. :-Siliguri Pin :-734001 , By Caste Hindu, By Profession : Business

Identified By Sanjay Kumar Marodia, son of Sti Manchand Marodia, Vidyasagar Pally, SILIGURI MC, Thana:-Siliguri, District:-Darjeeling, WEST BENGAL Hadia, P.O.:-Siliguri Pin:-734005, By Caste: Hindu, By Profession: Advocate.

On 17/02/2012

Certificate of Admissibility(Rule 43, W.B. Registration Rules 1962)

Admissible under rule 21 of West Bengal Registration Rule, 1962 duly stamped under schedule 1A, Article number : 58,64A of Indian Stamp Act 1899.

Payment of Fees:

Addi. Dist Sub-Registrar Siliguri-I, Dt, Darjeeling

Amount By Cash

Rs. 1228/-, on 17/02/2012

(Under Article: A(1) = 1221/-, E = 7/- on 17/02/2012)

(Nima Sherpa) ADDL. DISTRICT SUB-REGISTRAR OF SILIGURI- I

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ADDL. DISTRICT SUB-REGISTRAR OF SILIGURI- I

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EndorsementPage 1 of 1

Modi Public School, Siliguri

Registered in Book - IV CD Volume number 1 Page from 1244 to 1275 being No 00113 for the year 2012.



(Nima Sherpa) 17-February-2012 ADBL. DISTRICT SUB-REGISTRAR OF SILIGURI-I Office of the A. D. S. R. SILIGURI West Bengal

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