भारतीय गैर न्यायिक

पचास रुपये

रु.50

भारत

INDIA

FIFTY RUPEES

Rs.50

INDIA NON JUDICIAL

बिहार BIHAR

B 058309

बिहार सरकार

जिला निबंधन कार्यालय, दरभंगा सदर

दिनांक 18/09/2008 को श्री/श्रीमती Binod Mishra

निबंधन हेतु उपस्थापित किया गया । इसमें रु० 1000/- मुद्रांक शुल्क एवं रु० 4241/- निबंधन तथा अन्य शुल्क का भुगतान किया गया । दस्तावेज ग्राह्य पाया गया । जिन लेखकारियों ने मेरे समक्ष उसका निष्पादन स्वीकार किया उनके तथा उनके पहचानकर्ता के नाम, फोटो, अंगुलियों के निशान एवं हस्ताक्षर ऊपर अंकित है । इसे दस्तावेज संo 13959 के रूप में पुस्तक संo 1 की जिल्द संo 165 के पृष्ठ संo 345 से 354 तक CD 53 में आज निबंधित एवं कुल 10 पृष्ठों में संधारित किया गया ।

558

Date : 18/09/2008

(Dr. Sanjay Sinha)
निबंधन पदाधिकारी

18-9-08

DEED OF TRUST UNDER THE INDIAN TRUST ACT,1882.

This Deed made on this 18th day of September,2008 between 1. Shri Binod Mishra Son of Shri Jay Nath Mishra, resident of village,P.O. and P.S.Ghanshyampur, District-

730

Serial No :
Token No : 14507
Type & Status of Party

Deed No :
of 2008
Name of Party

Photo | Thumb | Index | Middle | Ring | Little

18-09-2008

Binod Mishra

Seif

बिनोद मिश्र
18-09-2008.

Signature of Party

168
49108

Amir Chandra Jha

स० अमीर चन्द्र झा
दि० 18-09-2008

Signature of Party

167
49108

Chandra Kant Thakur

स० चन्द्र कान्त ठाकुर
18.09.08.

Signature of Party

170
49108

Binod Mishra

बिनोद मिश्र
18-09-2008

Signature of Party

Birendra Kumar Jha

स० बिरेन्द्र कुमार झा
18/09/2008

Signature of Party

169
49108

Dinesh Jha

दिनेश झा
18/9/08

Signature of Party

171
49108

Sambodh Mishra

Identifier

स० सम्बोध मिश्र
दि. 18.09.08

Signature of Party

172
49108



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Darbhanga, by faith Hindu, by profession-Lecturer hereinafter called the Author and the Trustee (which expression shall unless excluded by or repugnant to the context been deemed to mean and include his survivor or survivors and the successor or successors in office for the time being of the Trust hereby created) of the One Part.

A N D.

2. Shri Amir Chandra Jha Son of Shri Bijay Nath Jha, at present of village and P.O. Pali, P.S. Ghanshyampur, District-Darbhanga, by faith Hindu, by profession-Lecturer.

3. Shri Chandrakant Thakur Son of Late Jay Narayan Thakur of village-Majhaura, P.O. and P.S. Bahera, District-Darbhanga, by faith Hindu, by profession-Agriculturist.

4. Shri Dinesh Jha Son of Late Deo Chandra Jha of village and P.O. Korthu, P.S. Ghanshyampur, District- Darbhanga, by faith-Hindu, by profession-Agriculturist.

5. Shri Birendra Kumar Jha Son of Late Jatashankar Jha of



बिहार BIHAR

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Village-Nawanagar,P.O.Harsingpur, P.S.Bahera,District-Darbhanga, by faith-Hindu,by profession-Agriculturist. All the aforesaid four persons referred to as TRUSTEES (which expression shall where the subject and context allows or admits or be deemed to include their survivor or survivors and successor or successors in office as also the trustee or trustees for the time being of trust hereby created) of the OTHER PART.

After independence there could not be required development in remote rural areas. The village life is highly painful due to want of road,electricity,education and health services, people are afraid and panicy due to natural calami-ties.In such circumstances it is highly essential that different Trusts and N.G.Os. should come forward alongwith the Government for the purposes of social and educational develop-ment in the rural areas.

A N D

In rural areas there is no shortage of talent but for want of



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upto-date facilities to the children they suffer over all development. For want of finance all the villagers are not capable of sending their children out side. In such circumstances it is highly essential that trust and N.G.Os. should establish and develop educational Institutions in the rural areas to provide education to the children at lower cost.

A N D.

In the country of India(Bihar) and in Bihar the District of Darbhanga is backward from different angles.People of the district are seriously affected by flood and other natural calamities and they deserve special help for the same.For developing India the people residing in villages shall have to join the main stream of the Nation and for the said purposes different programmes have to be organised for persons living in rural areas, whereas with this idea the "Author" developed strong wish to establish a Trust for running different types of social and educational programmes under



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the same.

A N D.

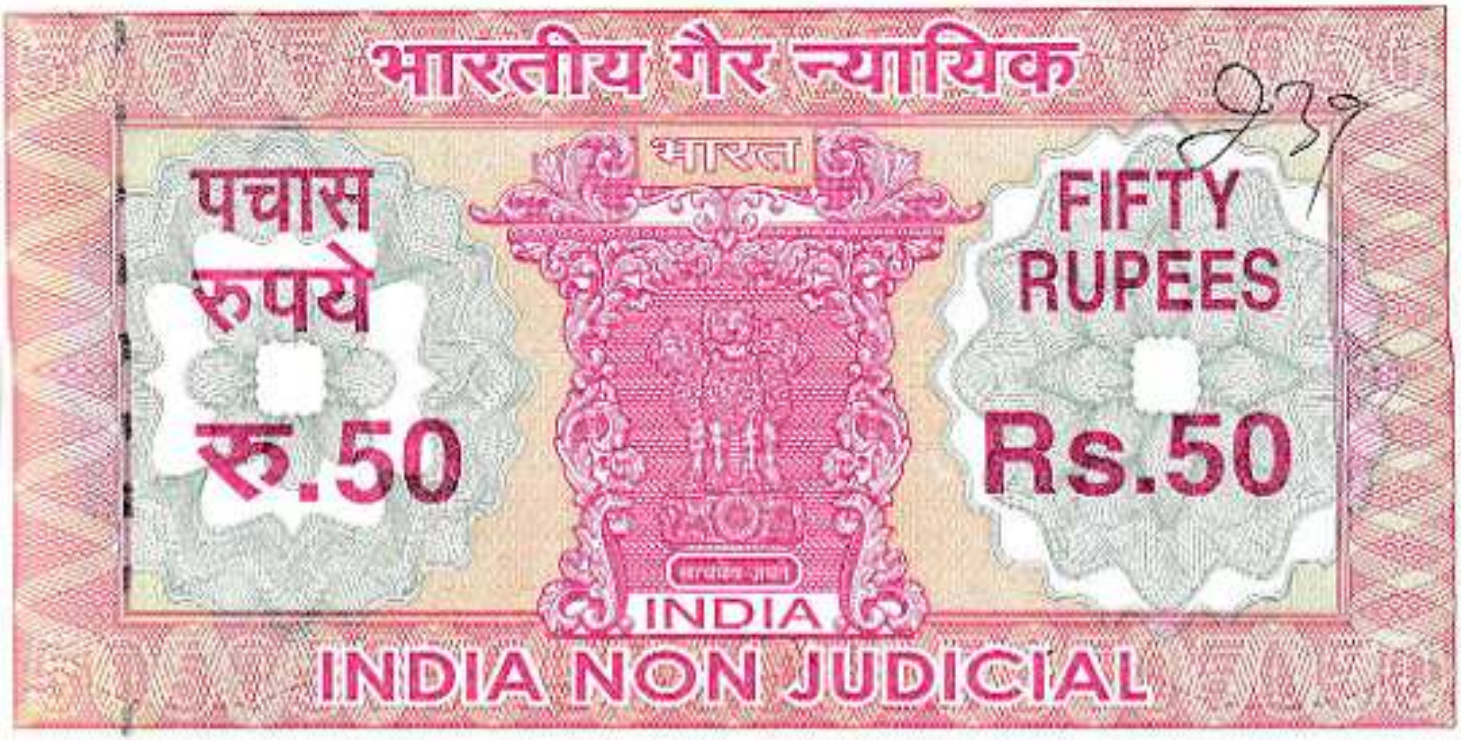
Whereas he further desired that in villages modern developed educational Institutions be established through which children be provided education at minimum cost without any discrimination so that the children should develope love and affection towards the society and the Nation.

A N D.

Whereas he further developed strong desire that different types of management and facilities regarding provision for giving health and educational services to the young girls and boys at the Block and Subdivision level and for the same revolutionary change be brought in village life by establishing big educational institutions,Medical colleges,different types of training centre,special help centres for women and disabled etc.under the said Trust.

A N D.

Whereas it was also thought that after the establishment of



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the Trust and development of the villages the same be linked with the town also and in the town also different programmes be organised. The gap between the town and villages be covered by running different types of constructive and developing works so that people residing in town should develop attraction towards the villages.

A N D.

Whereas the Author to fulfil these ideas has decided to establish the Trust alongwith other four like minded and capable persons.

A N D.

Whereas for this object the Author is giving 1(One)Katha land detailed below and Rs. 21,000/- for the establishment of office and running as also for the satisfaction of the aforesaid objects which shall be the trust property.

NOW THIS INDENTURE WITNESSETH AS FOLLOWS:-

1. The name of the Trust shall be " BAL KALYAN SEVA NYAS" and the office of the Trust shall be situated at village- Pali,Ghanshyampur, District- Darbhanga which may be removed from time to time to other place or places as the Trustees may deem fit and proper.

2. The Trust hereby created is a non-profit benevolent Institution established for the purposes mentioned above without any proprietory right either of the Author or Trustees over the trust property.

3. The object of the Trust shall be as follows:-



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(a) Arrangement for land in village for establishing different Institutions which may either be purchased or taken on lease in the name of the Trust.

(b) Arrangement of building for establishment of different Institutions which may either be constructed by the Trust or taken on lease in the name of the trust.

(c) For establishing different types of educational Institutions like Public School,College,Girls School,Women College, Teachers' Training College,Polytechnic College, Industrial Training Institute,Medical College,different types of Research Centres,Nursing College,Physical Training College, Commercial School and Colleges ,Computer Training Centre,Library Training College, Engineering College, Management College,Music Sanskrit College,Art College,Painting College, Animal Husbandary College and Treatment Centre etc. for providing concerned education at minimum cost.

(d) Special education arrangement for poor and orphan children at Panchayat,Block,Subdivision and District level.

(e) For arranging and constructing Hostels for boys and girls students in different educational institutions.

(f) For establishing,developing and running of Agriculture College, Soil testing Centre,Fish production Training Centre, For Agriculturist of the rural areas.

(g) In case of emergency to establish Emergency Health Centre and to arrange provision for the same,from different sources and to arrange large programmes& for helping persons affected by natural calamities like flood,drought,fire,epidemic Earth quake etc.

(h) For establishing and developing help centres for aged



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and helpless people.

(i) For running different programmes for removing social evils.

(j) For organising ane implementing different programmes to remove poverty and unemployment.

(k) For arranging different programmes for social harmony and National unity.

(l) For running special programmes to restore ancient culture and civilization.

(m) For establishing,developing and running special Institu-tions for minority, Dalit,Mahadalit,Pichhara and Ati-pichhara etc. classes of people.

(n) To organise special drive for upliftment of women from village to town.

(o) Organisation of special programmes from time to time for social development and public welfare.

(p) Organising of Camps from time to time for sick,orphan, disabled etc.

(q) In case the organiser or management of any other Institution requests to get the said Institution run by the Trust or in case their Institution is closed and they request to that effect ,then the Trust may include and run the said Institution or Institutions through it and in that case the said Institution and its properties shall be the property under Trust according ~~xxxtermxx~~ to its terms.

4. The financial year of the Trust shall end on 31st March every year provided the Board of Trustee shall be at liberty to change the same from time to time,if they deem fit and proper.

5. The Trustees from time to time after meeting the expenses of and incidental to the management of the Trust properties and of the Trust decide the particular object or objects for which the



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income or corpus of the Trust fund or properties for the time being available shall be applied and shall do all acts which are reasonable and proper for the realisa-tion, protection and benefit of the trust and the Trust properties.

6. Without affecting the generality of power and functions of the Trustees to manage an administer the Trust, the Board of Trustees shall have the following functions:-

(a) To accept unconditional gifts and donation of both movable and immoable properties, from any kind hearted people interested in the aim and object of the Trust which shall be Trust property after acceptance.

(b) To borrow, if needed be against the security of the assets of the trust by way of Bank overdrafts, loan or otherwise as may be necessary for the benefit of the objects of the Trust. Provided however the trustees in majority agree on such borrowing and limited to the terms of their decision or agreement and to authorise two or more of the Trustees inclusive of the Chairman/Secretary to execute such documents, deeds, papers as may be necessary in connection herewith.

(c) To spent any portion of the corpus or the income of the trust fund for purchasing or acquiring on lease for considera-tion any land and or constructing any building or buildings for and in the name of Trust for the purpose of carrying out, promoting and/or executing any or all of the trust.

(d) To arrange for and/or authorise the signing or execution of any agreement, contract, instrument, document or any other paper for legal purposes or writing required to be signed or executed on behalf of the Trustees by any two of the Trustees inclusive of the Chairman/Secretary to be nominated in this behalf by the Board of Trustees and to make the same effective and binding as if the said agreement, contract, instrument, or document or paper or writing were signed by all the Trustees.

(e) To authorise any two or more Trustees inclusive of the Chairman/Secretary to hold any property or any fund or any investment of the Trust subject however to the



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terms of these presents in such manner and subject to such terms and conditions, rules and regulations as the Board of Trustees may from time to time think fit and proper.

7. The Trustees shall keep account or accounts with any Bank or Banks to operate such account or accounts whether in Debit or in Credit and to give all appropriate instructions to Banker or Bankers concerning the operation of such account or accounts and to authorise by appropriate resolution two or more of the Trustees jointly inclusive of the Chairman/Secretary appointed by the Board of Trustees in this behalf to operate such account or accounts.

8. The Trusteesshall cause true and accurate account to be kept of all monays received and spent efx and of all matters in respect thereof in course of management of Trust properties or for the purposes carrying out the object of the Trust and purpose of the Trust as well as of all the assets, credit and effects of the Trust properties.

9. If the income from the Trust property in a particular year is not fully utilized the unspended income subject to the applicable provisions of the Income Tax Act, 1961 shall be carried over to the next year or years and spent in such subsequent year or years for the advancement of any of the object of the Trust.

10. The Trustees may appoint, Secretaries, Managers, Lawyers, Auditors Architects, Engineers, Teachers, Employees for the purpose of management and supervision of the Trust Estate for collection of rents, effects, and profit for keeping the accounts and record, for the purpose of carrying out the objects of the Trust and for any other purpose of the Trust.

11. The Trustees may pay all charges and outgoings payable in respect of any immovable property for the time being forming part of the Trust fund and may carry out repairs required to be done to the same and keep the same insured against loss or damage by fire and may incur all other costs, charges and expenses incidental to the administration and management of the Trust



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estate and the properties for the time being belonging to the Trust as they may in their absolute discretion think fit.

12. The number of the Trustees shall be five.

13. Any trustee may retire at any time without assigning any reason and without being responsible for any costs, occasioned by such retirement subject to the provisions of Indian Trust Act.

14. All the Trustees unless they voluntarily resign or otherwise decide, shall continue to be the Trustees during the terms of their natural lives.

15. The Trustees may from time to time frame schemes and rules and regulations to carry out the objects of the Trust and for managing the affairs of the Trust and otherwise for giving effects to the objects and purpose of the Trust and to vary the same from time to time as the Trustees may in their discretion deem fit and proper.

16. Majority of trustees at a meeting shall form a quorum for any meeting of the trustees.

17. The trustees by majority decision for the time being shall elect from amongst them one Chairman/Secretary and he shall hold office for five years, unless he resigns or refused to act as Chairman/Secretary or otherwise ceases to be trustees and the same person may be Chairman/Secretary more than one time. The following shall be rights and duties of the Chairman/Secretary of the Trust:-

(a) To always remain thoughtful, ~~att~~ active and devoted for the purposes of fulfilling the objects of the Trust.

(b) To give full respects to other Trustees to run and get run different educational institutions, social and other programmes successfully under the Trust.

(c) To prepare constructive programmes for the trust and



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the Institutions under the same.

(d) To constitute Managing Committee lawfully for the Trust and the Institutions run under the same, as per majority opinion of the Trustees.

(e) To create necessary post lawfully for the Trust as well as different Institutions under the same and to appoint capable persons on the same.

(f) To honour different persons under the Trust and different Institutions and to take proper action against them in case of negligency of the duties.

(g) Chairman/Secrtary can take personal decision in case of special circumstances for the purposesof immediate steps but it shall be necessary that the same be confirmed in meeting of the Trustees called for the said purpose and the majority decision of the Trustees shall be final within three months of the said decision.

(h) Chairman/Secretary shall have right to call meeting of the Trustees on the fixed time and place, but information of the same shall be given to the Trustees under acknowledgement one week before the meeting.

(i) The Chairman/Secretary shall be bound to call meeting within six months maximum and in case he does not call the meeting within six months, he shall be liable for the same.

(j) In case of the Chairman/Secretary fails to call two consecutive six monthly meeting, the Trustees shall have right to call meeting and remove the Chairman/Secretary, but it can be done only by decision of the Trustees.

(k) In case the Chairman/Secretary works against the interest of the Trust and the Institutions run under the same a special meeting can be called for moving the Chairman/Secretary, but for the same the consent and acceptance of atleast three Trustees shall be necessary.

(l) The Chairman/Secretary shall be the Chairman of the Managing Committee constituted for different Institutions under



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the Trust.

(m) The Chairman/Secretary shall use the finance of the Trust for different development of Programmes.

18. In case of vacancy of any of the Trustee due to any reason, the surviving Trustees may by majority decision appoint another trustee in his place and in case of equality of votes, the living highest donor shall have right to give final decision on the same within three months of the vacancy through a meeting called for that purpose by the Chairman/Secretary and in case the Chairman/Secretary fails to call the said meeting within three months, any of the Trustee may call a meeting for that purpose.

19. All proceedings question and matters arising at the meeting of the Trustees shall be decided by the majority of Trustees and in case of equality of votes of the Trustees the highest donor shall have right to give final decision on the same.

20. All meetings of the Trust shall be held at such place and at such time as the Chairman of the Trust or any person authorised by him shall decide from time to time.

21. Notice of the meeting of the Trustees and all communications may be sent to the Trustees at their address registered for the time being in the records of the Trust.

22. A resolution in writing circulated amongst all the trustees and signed by a majority of the trustees shall be valid and effectual as if it had been passed at a meeting of the Trustees duly called and convened.

23. For management of all institutions under the Trust the Managing Committee should be formed according to law of the land. The trust shall legally nominate and/or elect such number of members as would be deemed appropriate.



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24. A Trustee who is unable to be present at a meeting of the trust may send his opinion or the agenda in writing and such expression of opinion shall be taken to be his vote on the matter concerned in case the same is received before conclusion of the meeting.

25. That on the death, retirement, disability, discharge of a trustee or trustees the same shall be filled by the majority decision of the remaining trustees.

26. That in case the object of the trust become extinct the assets of the Trust shall be utilised for the purpose as per majority decision of Trustees.

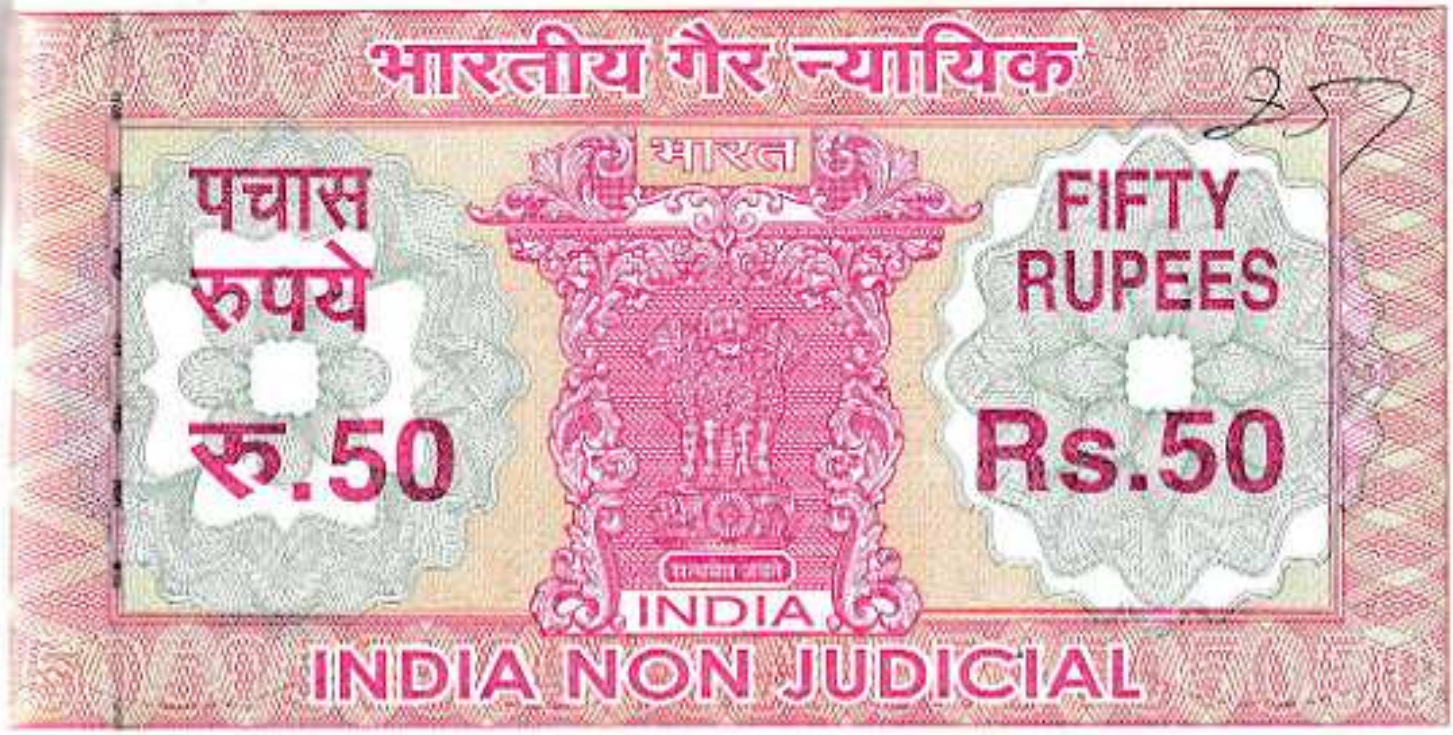
27. The minutes of the proceeding of every meeting of the Trustees shall be entered in a book to be kept for that purpose and signed by the Chairman and Trustees of such meeting or of the following meeting when they are read over and shall when so entered and signed be conclusive evidence of the affairs and other matters transacted at such meeting and a copy of the proceeding of the said meeting shall be given on receipt to each of the Trustees present.

28. No person being (i) a discharged, insolvent or (ii) convicted of an offence involving moral turpitude or (iii) of unsound mind or (iv) a minor shall be eligible to be a Trustee.

29. A person shall cease to be a trustee in any of the following events:-

(i) if he dies/or
(ii) if he becomes bankrupts/or
(iii) if he resigns the office/or
(iv) if he becomes insane or otherwise become incapable to act.

30. On a new or additional Trustee being appointed

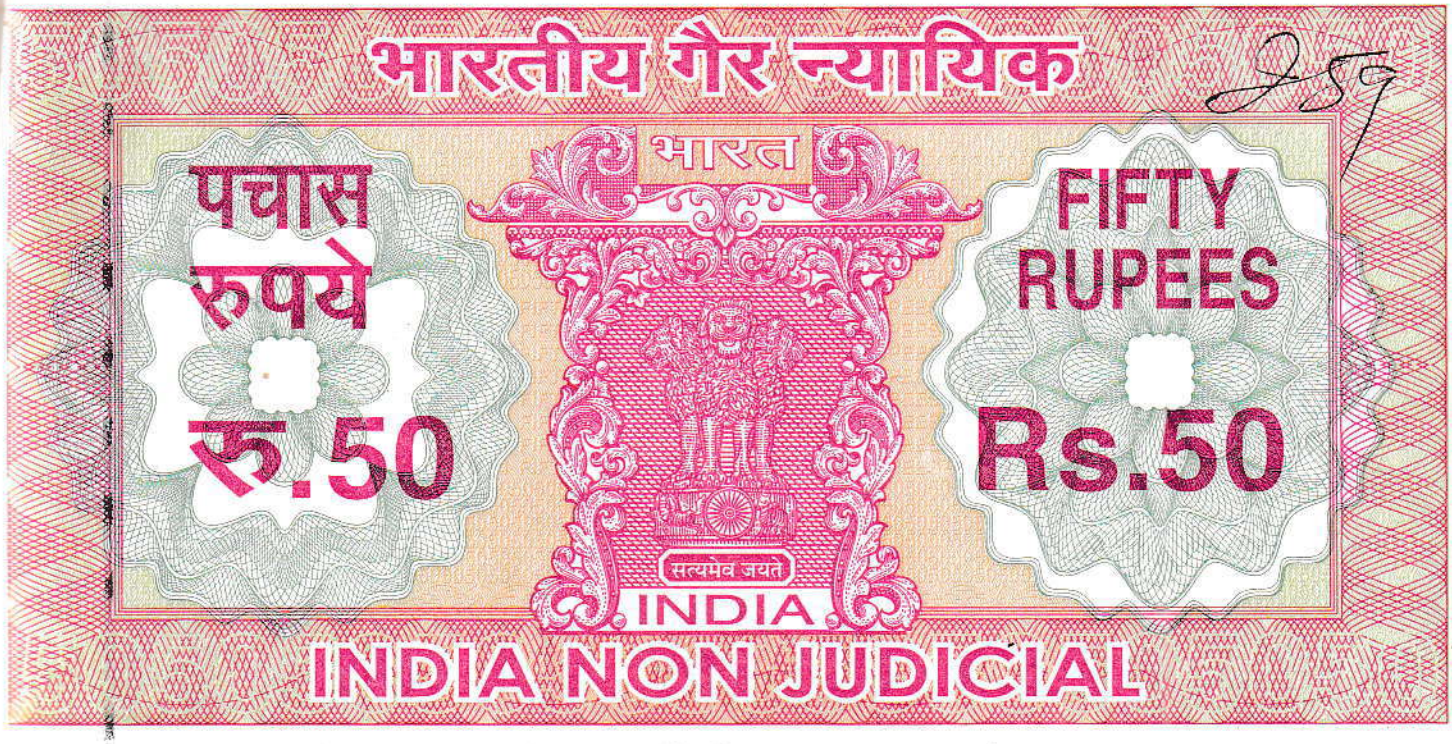


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and on his signifying his acceptance in writing to the effect of his accepting the appointment the Trust property shall automatically vest in him alongwith the other Trustees for the time being and he will be entitled to carry out all the duties and function of a Trustee without any other deed of writing.

31. The Board of Trustees shall be entitled to use in the name of the Trust and may similarly be used in the name of the Trust.

32. The Board of Trustees,may by an unanimous vote of all the Trustees for the time being except the Trustee proposed to be removed,remove any trustee, permanent or otherwise,from office after finding the trustee proposed to be removed guilty of serious misconduct in relation to or concerning the Trust estate or Trust affairs and after arriving at a definite conclusion that for the reasons to be,recorded in

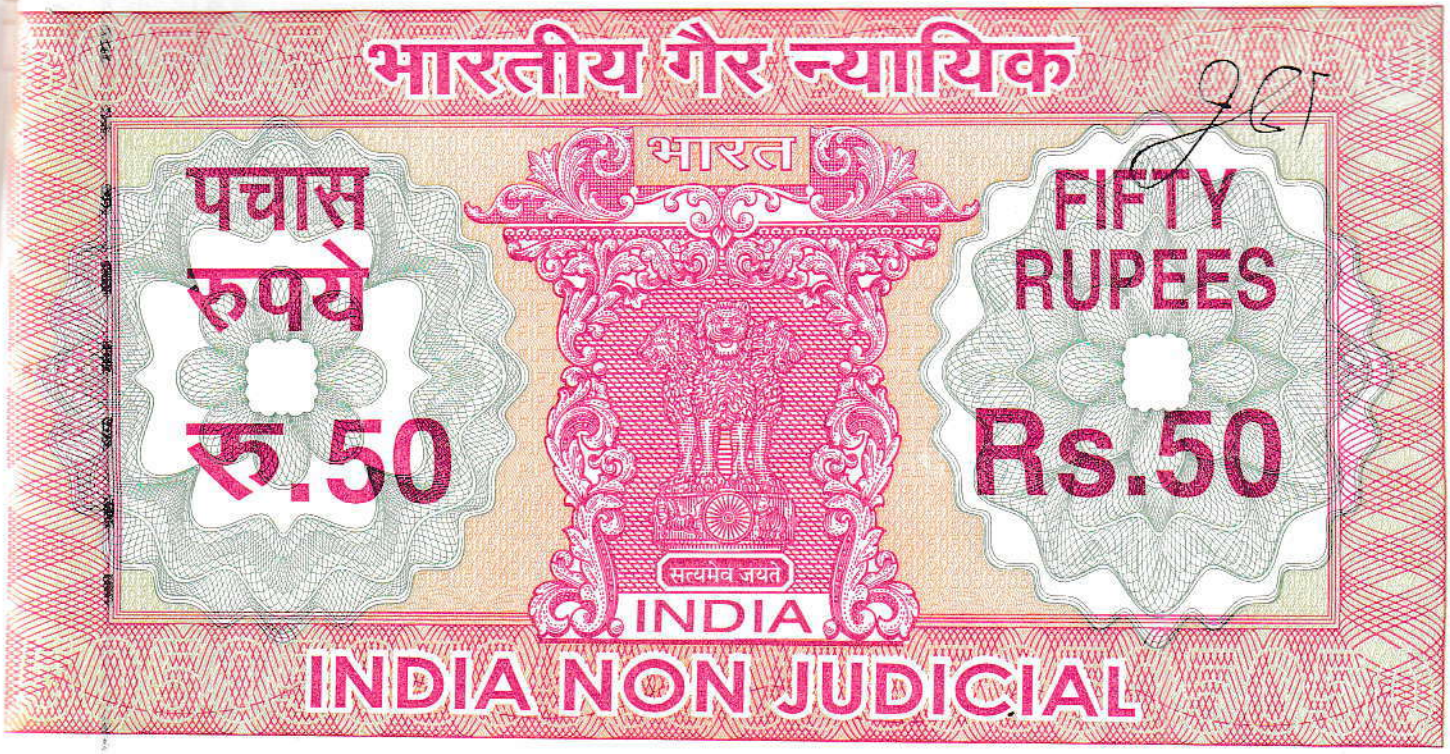


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writing the continuance of the Trustees proposed to be removed a Trustee or these presents was desirable keeping to the objects of the Trust in view and other relation or connected matters provided however that no conclusion of such guilt shall be arrived at without giving to the trustee proposed to be removed a full and fair opportunity of explaining his conduct and/or the charges levelled against him for his removal.

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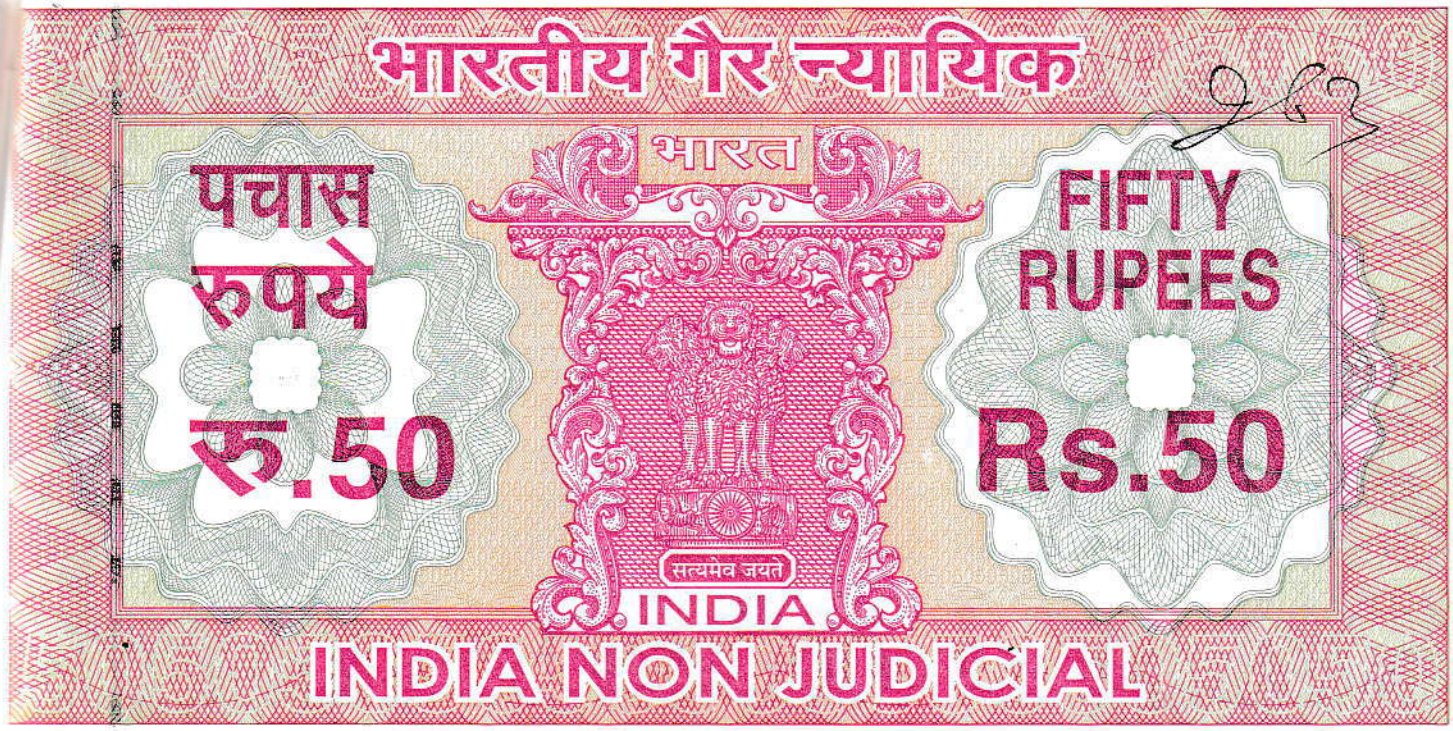
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And the unanimous decision of the Board of the Trustees to this behalf shall be final and binding andshall not be called in question any where.

33. The Board of Trustees shall have powers to constitute Selection Committee/Departmental Promotion Committee for various categories of staffs for the various Institutions under the Trust.

Continued on page....18



बिहार BIHAR

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34. The Board of Trustees shall have control over the Managing committee of the various Institutions under the Trust,and shall approve the Budget,tuition ~~an~~ fee and other allied annual charges etc.,for the different institutions as also it shall ensure. Thatthe funds accruing from the different Institutions are spent for the benefits of the respective Institutions and for their expansion or as the Trustees deem fit and proper.

Continued on page....19



35. The Trust may establish any Institution run under the Trust on its land and in case of failure the said land, building and fixtures thereon shall be the property of the Trust and the Trust may establish other institution on the same.

36, The Account of the Institution or Institutions run by the Trust shall be kept separately,but the Trust shall have right to compensate through its fund if the said Institution is in loss and in case of profit the Trust shall have right to use

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of Trust Act, the terms of the Trust Deed can be changed and new terms may be included by unanimous decision of the Trustees.

39. The Trustees through majority decision can appoint Manager/Correspondent from amongst the Trustees or any able and experienced person from out side for looking after the Trust and Institutions run under the same.

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and to work as a link between the Trust and its various Institutions.

40. The folawing shall be rights and duties of the Manager/Correspondent:-

(a) He shall be the member of the Managing committee of the concerned Institution or Institutions.

(b) He shall get the directionof the Trust obeyed by the Managing Committee and the Head of the Institutions.

(c) He shall use the different rights of the Managing

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Committee of the Institutions.

(d) It shall be its duty to give surprise inspection and vigilance to the Institutions.

(e) He shall use the financial right given by the Managing committee.

(f) He shall sign the appointment letters, show-cause, letter of removal on behalf of the Managing Committee.

(g) He shall give full protection and cooperation to the Head of the Institutions and he shall not interfere in his domain.

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(h) He can request the Chairman/Secretary to call a meeting of the Managing Committee for necessary steps and in case of special circumstance he himself ~~shall~~ can call a meeting of Managing committee and it shall be necessary to get the said decision confirmed by the Chairman/Secretary within three months.

Continued on page——25

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(i) The Chairman/Secretary shall remain vigilant in respect of the performance of the Manager/Correspondent and in case of any irregularity can ask show cause and give warning to him.

(j) In case of Committing wrong and negligence inspite of repeating warning, the Chairman/ Secretary can remove the Manager/Correspondent from his post, but it shall ne-cessary to call



बिहार BIHAR 01AA 736009

a meeting of the Trustees and take the consent and acceptance of atleast three Trustees.

41. The same person cannot be Chairman/Secretary and Manager/Correspondent.

IN WITNESSES WHEREOF THE AUTHOR AND THE TRUSTEES have executed these presents on the day, month and year first above written out of their own free will and consent without any undue influence or pressure from any side in fit state of body and mind and the Trustees named above have accepted to function as per the terms of thâsm deed.

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27.

SCHEDULE-I.

Details of immovable property given in Trust situated in Mouza-Pali,P.S.Ghanshyampur,Sub-Registry Office-Baheri,Anchal-Ghanshyampur, District- Darbhanga,Touzi No.6424,Thana No.397, acquired by sale deed dated 16.2.2001 from Ghuran Mahto through registered deed No. 2130 .

Khata No.	Khesra. No.	Area.	Boundary.
254	1663(Old) 3724(New)	1 Katha.	North- Road. South- Self. East- Self. West- Self.

Continued on page....28



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Signed,Sealed and delivered in presence of witnesses.

Signature of Author & Trustee.

1. 18-09-2008

Signature of the Trustees.

1.
18-09-2008
2. 18.09.08
3. 18-9-2008
4.

Drafted by- Narendra Narain Singh,
Senior Advocate,
Darbhanga Bar.

Narendra Narain Singh, Advocate
18/9/08

Typed by:-

Shiva Shankar Mishra,
Licensed Typist.Licence No.20/72
Civil Court Compound, Laheriasarai
Darbhanga. Shivshankarmishra
18/9/08.

Endorsement of Certificate of Admissibility (Rule - 35)

Admissible under Rule 21 : duly stamped (or exempted from or does not require stamp duty) under the Indian Stamp Act, 1899, Schedule I or I-A, No. 64. Also admissible under section 26(a) of the B. T. Act.

Stamp duty paid under Indian Stamp Act Rs. 1000

Addl. Stamp duty paid under RDA/Municipal Act Rs 0

(Paid **Rs. 1000/-** *by N.J. Stamp Paper and* **Rs. 4241/-** *through Bank Challan.)*

FEE PAID										
	A1	3280	C	0	H1b	0	K1a	0	Lii	0
	A8	0	D	0	H2	0	K1b	0	Liii	0
	A9	0	DD	0	I	150	K1c	0	Mb	25
	A10	0	E	0	J1	0	K2	0	Na	36
	B	0	H1a	0	J2	0	Li	0	Scan	750

LLR	0
Proc. Fee	0
Total Fee	**4241**

Date :

Registering Officer

18-9

Endorsement under section 52

Presented for registration at ***04:53 PM*** *on the day* ***Thursday,*** *18th* ***September*** ***2008*** *at the* ***Darbhanga Sadar*** *D. R./S. R. Office by* ***Binod Mishra***
Jaynath Mishra

by profession ***Agriculture.***

18-09-2008

Signature of Presentant

Registering Officer

18-9

Endorsement under section 58

Execution is admitted by persons and identified by others whose names, photographs, fingerprints and signatures are affixed on the reverse pages of the instrument and are identified by Sambodh Mishra age 32 Sex M son/daughter of Jaynath Mishra resident of Vill+Ps=Ghanshyampur Dist-Darbhanga

Date:

Registering Officer

18-9

Endorsement of Certificate of Registration under section 60

Registered in Book 1 of DSRO/ SRO Darbhanga having 10 pages, in the volume CD-53 and document no. of which is printed on the First Page of the document.

Date:

Registering Officer

18-9

Token No. 14507

Token No. 14507

SCORE Ver. 2.0 (Vinayak)

SCORE Ver. 2.0 (Vinayak)

NIC BRSC, Patna, Bihar

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