183/In. Jan.

# TRUST DEED

# KAILASH WATI VARMA ASHRAM (A CHARITABLE TRUST)

This Deed of Charitable Trust is executed on this 17th day of April 2013, BY, Dr. Narendra Swarup Bhatnagar, son of Mr. Brahm Swarup Varma, resident of village Kheri Khurd, Pargana Eastern Doon, Rishikesh. Distt Dehra Dun Uttarakhand hereafter called the Settlor/Founder Tustee.

Stamp Duty Paid

Rs. 1000/-

Number of Stamp Sheet

One sheet

Nevender Scharup Bhatnagar Pan Ho- AAQ PB7882 H MINORED STEED NOTES 10HO- 508 2215484

Laxenger Rame Reg. Mo- 548/07. I.D.

For KWY Public School

whorked Signatory

( WY Public School Chain Knurd Nepali Form Cho Shyamour (Rishikeah)



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### WHEREAS

(i)

The Settlor/Founder Trustee is desirous of establishing an Ashram for the purpose of carrying on and/or promoting various public philanthropic, charitable activities mainly in the field of healthcare, social and cultural activities and education including religious education in the territory of India, particularly, in rural areas, in the state of

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Uttarakhand, INDIA, which also include public policy research, conducting seminars and workshops, and establishing learning and research centers, providing scholarships to poor/needy and deserving students and not for purposes of profit and for such purposes has handed over a sum of Rs. 10,000 (Rupees Ten Thousand only), to the Trustees by way of initial contribution.

- (ii) For the purpose of effectuating such desire, the Settlor/Founder Trustee has handed over the said sum to the Trustees, intending that the said sum & future income thereof shall be held by the Trustees upon the Trust for fulfillment of the objects of the Trust, more fully and particularly described and set out hereinafter.
- (iii) The Trustees have, at the request of the Settlor/Founder Trustee, agreed to act as First Trustees of this Trust upon terms & conditions hereinafter contained.

# NOW THIS DEED OF DECLARATION OF TRUST WITNESSETH AS FOLLOWS:

### 1. CREATION OF THE TRUST AND INITIAL CORPUS THEREOF

(1.1) In order to effectuate the said object of creating a public philanthropic trust, the Settlor has delivered & handed over to the Trustees of Rs. 10,000/- (Rupees Ten Thousand only) in cash, with all additions & accretions thereto and all accumulated income thereof for the objects, purposes & uses hereinafter expressed, with the powers and terms and conditions herein contained and not for the purposes of carrying on of any activity for profit for the Trustees in the territory of India.



A. Carcilonapen

ट्रस्ट डीड प्रापंका सं १६२ बही ट्रस्ट डीड शब्द लगमग रजिस्ट्रेशन शुल्क प्रतिलिपि श्ल्क इलेक्ट्राविक प्रोरोसिंग (ग्रेल्कं 1000 220.00 10.00 340.00 श्री / श्रीमती / कुमारी नरेन्द्र स्वरूप भटनागर पुत्र / पुत्री / पत्नी श्री ब्रह्म स्वरूप वर्ध पेशा अन्य निवासी खैरीखुर्द ने आज दिनांक 23/04/2013 समय 12:51 pm को कार्यालय उपनिबन्धक Ws. Budue ने प्रस्तुत किया ऋषिक्श नरेन्द्र स्वरूप भटनागर 23/04/2013 इस लेख पत्र का निष्पादन विलेख से लिखित तथ्यों को सुन ए रामझ श्री नरेन्द्र स्वरूप भटनागर s/o ब्रह्म स्वरूप वर्मा, खैरीखर्दा ने स्वीकार किया जिनकी पहचान श्री भाग सिंह पुत्र श्री लाल सिंह पेशा व्यापार निवासी थैरीख़र्द लक्ष्मण सिंह राणा

निवासी खैरीखुर्द व श्री लक्ष्मण सिंह राणा पुत्र श्री पेशा वकील निवासी को.क.ऋषिकेश ने की।

उपनिबन्धक ऋषिकेश 23/04/2013

- (1.2) The Trustees for the Trust, are authorized to accept any monetary help by way of contribution in cash or in kind from any member of public, society, corporation, association etc., or from any State/Central Government or Government of any Union Territory or any country of the World. Any such contributions, help, grant, or aid shall form part of the Trust fund. Any property movable or immovable, acquired thereafter for the purposes of the Trust shall also form part of the Trust Fund/Property.
- (1.3) It is expressly declared that no part of the Trust property or its income shall be applied for any purpose which is not philanthropic/charitable/religious in law and nothing herein shall be considered to authorize the Trustees to utilize the Trust assets or its income for any non-philanthropic/non charitable/religious purpose.

#### 2. NAME

(2.1) The Trust shall be known as "Kailash Wati Varma Ashram" named after the late mother of the settlor Dr. N.S.Bhatnagar who was a very gracious and affectionate lady much concerned with supporting good causes.

## 3. REGISTERED OFFICE OF THE TRUST

(3.1) The registered office of the Trust shall be situated at the residence of the Settlor/Founder Trustee, Dr. N. S. Bhatnagar in village Kheri Khurd, Pargana Eastern Doon, P.O. Satnarayan Temple, Distt Dehra Dun, State of Uttarakhand, INDIA.

### 4. OBJECTS

The objects & the purposes of the Trust are to promote philanthropic, charitable, religious activities which include: -

(4.1) To establish, run, develop or improve aged persons home, health and community centres learning centres, vocational centres or school, especially in rural areas of Uttarakhand without profit motive for the benefit of people in general.

प्रलेख सं 162 बही 4 ट्रस्ट डीड ट्रस्ट डीड शब्द लगभग इलेक्ट्रानिक प्रोसेसिंग शुल्क रजिस्ट्रेशन शुल्क प्रतिलिपि शुल्क 1000 220.00 10.00 340.00 श्री / श्रीमती / कुमारी नरेन्द्र स्वरूप भटनागर पुत्र / पुत्री / पत्नी श्री ब्रह्म स्वरूप वर्मा पेशा अन्य

ने आज दिनांक को कार्यालय उपनिबन्धक

मे प्रस्तुत किया

निवासी खैरीखुर्द

ऋषिकेश 23/04/2013 W5.13ualue

नरेन्द्र स्वरूप भटनागर

इस लेख पत्र का निष्पादन विलेख में लिखित तथ्यों को सुन व समझ श्री

नरेन्द्र स्वरूप भटनागर slo ब्रह्म स्वरूप वर्मा, खैरीखुर्द।

ने स्वीकार किया ।

जिनकी पहचान

श्री भाग सिंह

पुत्र श्री लाल सिंह

पेशा व्यापार

निवासी खैरीखुर्द लक्ष्मण सिंह राणा व श्री

पुत्र श्री पेशा वकील

को.क.ऋषिकेश निवासी

ने की।

ऋषिकेश 23/04/2013



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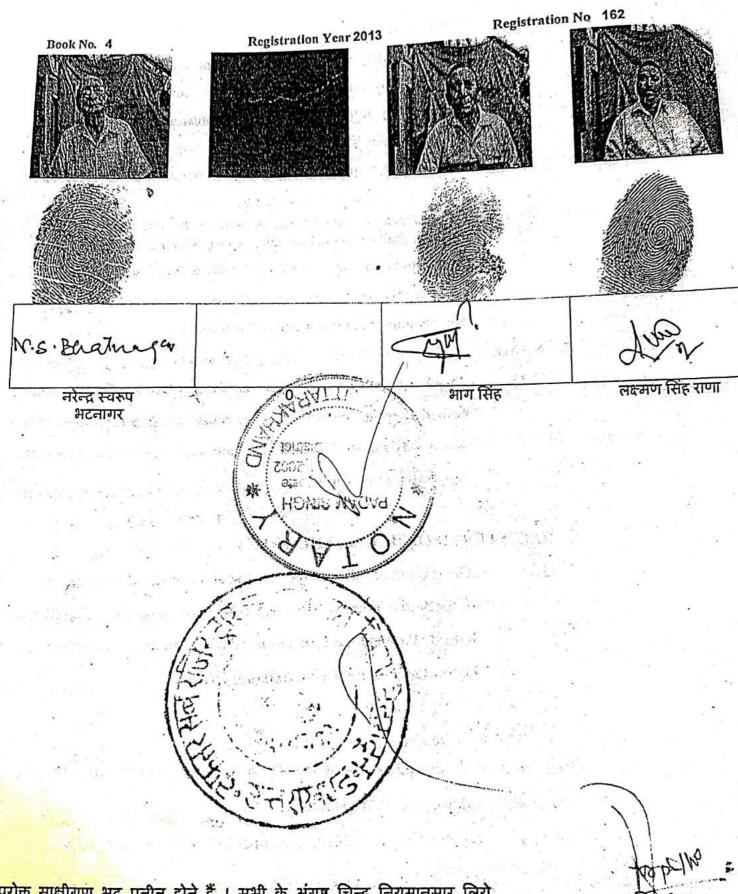
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उपरोक्त साक्षीगण भद्र प्रतीत होते हैं। सभी के अंगुष्ठ चिन्ह नियमानुसार लिये गये है। उपनिबन्धक ऋषिकेश 23-Apr-2013

- (4.2) To grant stipends, scholarships, studentships, prizes, awards and other allowances, concessions or gratuities to students and to give all other help to them for advancement of education.
- (4.3) To open and maintain libraries, reading rooms for the benefit of students and to up-grade libraries of schools, colleges and other educational institutions.
- (4.4) To organize, start, run or assist any programme for coaching, guidance, counseling and training for preparation for any entrance or competitive tests for recruitment for jobs including All India and State Service examinations or for admission to professional or other educational institution.
- (4.5) To run Vocational Courses such as computer training centers or to provide computers and educational software to students of various educational institutions for advancement of education and vocational training.
- (4.6) To establish and run a public policy research and advocacy organization to undertake primary and other research activities, including experimenting and piloting policy ideas and evaluation of any and all policies of any and all governments in India, relating to school and higher education.
- (4.7) To partner with academic institutions, governments, government agencies and government departments and with intergovernmental, non-government and global organizations, and with any individual or organization with similar objectives to develop and execute policy ideas.
- (4.8) To acquire and maintain movable and immovable properties for achieving the said objects.

To do all such other things and to perform other acts as may be deemed to be necessary or proper for the fulfillment of any of or

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all the above objectives or any other object of general public utility, provided they are covered by the definition of Charitable purpose as per the Income-tax Act, 1961 with all statutory modification and replacements thereof.

If any of the above objects is found to be inconsistent with the objects of public charitable trust institution under section 11 or any other section of the Income-tax Act, 1961 or any other direct tax law or any other law applicable to such trusts as now enacted or as may be enacted or amended at future date, the objects stated above will be treated as so modified to accord with such law or amended law so that any concessions, privileges, conditions or regulations available to and applicable to such public charitable institutions will be available to and applicable to this Trust as well so that this Trust will continue to retain its character as public charitable institution without profit motive with public character within the meaning of all such laws. All the objects and its activities will be confined to India and will be carried on without profit motive and without any distinction on account caste, creed, color or religion.

## 5. THE PROPERTIES OF THE TRUST

The properties of the Trust shall be: -

(5.1) The sum of Rs. 10,000 (Rupees Ten Thousand only) above referred

to, the receipt of which is hereby acknowledged by the Trustees;

(5.2) Any properties, movable or immovable, that may be acquired by

the Trust either by purchase or otherwise including dedication;

All additions and acceptations to the Trust fund;

All voluntary donations both towards corpus or otherwise gifts, legacies or grants in cash or in kind accepted by the trustees;

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(5.5) All grants and contributions made to the Trust by the Government,
Government bodies, Corporations, Trust or Institutions, Trade
Union or Societies etc; and All sums and assets which by and means
become the property of the Trust.

## 6. MANAGEMENT OF TRUST FUND

- (6.1) All money received by Trustees for the trust shall be invested by the Trustees in eligible securities and investments, or in banks and to be utilized to achieve the object of the Trust.
- (6.2) The Trustees shall manage the Trust Fund, and investments thereof, as a prudent man would do, and shall recover all outstanding and meet all recurring and other expenses incurred in the upkeep or management thereof.
- (6.3) The Trustees shall receive and hold the income of the Trust on behalf of and for the benefit of the beneficiaries under the Trust.

#### 7. BOARD OF TRUSTEES

(7.1) The Trust shall consist of not less than 5 and not more than 9 persons, who would constitute a "Board of Trustees".

#### 8. OFFICE BEARERS

- (8.1) The office bearers of the Trust from amongst the Trustees and shall be
  - (i) The Chairman,
  - (ii) The Managing Trustee and
  - (iii) The Treasurer.

The office bearers shall be elected in a meeting of the Board of Trustees for a period of three years; however, the Settlor/ Founder Trustee shall be the Managing Trustee during his life time and in the case of his death or resignation, the Board of Trustees shall elect the Managing Trustee from amongst themselves.

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- (8.2) The day-to-day administration of the Trust shall be looked after. by the Managing Trustee under the guidance, control and supervision of the Board of Trustees. The Managing Trustee shall give effect to all the decisions of the Board of Trustees.
- The Managing Trustee shall manage the funds, properties and investments and shall attend to correspondence and the keeping of minutes of meetings which are subject to the approval of the Chairman of the meeting and shall be placed for confirmative in next meeting of the Board of Trustees, preparation of agenda, circulation of notices of meetings, memoranda, reports and resolutions, maintenance of accounts, execution of documents on behalf of the Trust & Board of Trustees and such other acts of administrative and organizational nature,
  - (8.4) The Managing Trustee shall perform all functions, discharge such duties as or specifically entrusted to him/her in writing by the Board of Trustees,
- (8.5) The Chairman shall preside over all meetings of the Board of Trustees,
- (8.6) The Treasurer shall be responsible for proper maintenance of accounts.

### 9. EXPENSES

- (9.1) The expenses of the Trust shall be met out of the Trust Fund and/ or income derived from the Trust Fund/property.
- (9.2) Expenses can also be met out of the income and contributions received by conducting seminars, conferences, discussions, lectures, sale of study material or other miscellaneous incomes.
- (9.3) The Trust Fund and Property shall not be applied for any purpose other than those specified herein.

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# 10. CONSTITUTION OF THE BOARD AND APPOINTMENT OF TRUSTEES

- (10.1) The following Trustees have been appointed by the Settlor/Founder

  Trustee who have kindly agreed to be the first trustees: -
  - (i) The Settlor/Founder Trustee himself as Managing Trustee for whole life.
  - (ii) Miss Manorama Bhatnagar d/o late Mr. PS Bhatnagar r/o12 Doon Vihar, Rajpur Road, Dehradun.
  - (iii) Mr. Jitendra Shanker Bhatnagar s/o late Mr. PS Bhatnagar r/o 1403 Panchmarhi Tower, Kaushambi, Distt. Gaziabad.
  - (iv) Mr. Ashok Kumar Verma, advocate s/o late Mr. JN Verma r/o 25 Narendra Vihar, Ballupur Road, Dehradun.
  - (v) Dr. Indu Singh w/o Dr. DS Jadon r/o 3 Mata Mandir Road, Ajabpur Kalan, Distt. Dehradun. The Trustees above mentioned and the Trustees for the time being appointed herein shall constitute the Board of Trustees.
- (10.2) Every Trustee shall hold his office, unless he/she ceases to be a Trustee for any of the reasons mentioned in Para 11 here-in-below.
- (10.3) If any Trustee ceases to be a Trustee for any of the reasons mentioned hereinafter, the remaining Trustee or Trustees may appoint a new Trustee in his place in accordance with the following clauses in a General or Special Meeting called for that purpose.
- (10.4) If any trustee wants to resign from the Board of Trustees for any person on the Board of Trustees from amongst his/her family,

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subject to the approval of the board which shall ordinarily be given unless there is some things specifically objectionable. In such a case the Trustee shall nominate some one else from his/her family. For the purpose of the trust, the family of a trustee is defined as spouse, descendents, siblings and first cousins.

- (10.5) When a new Trustee or Trustees is/are appointed, the property of the trust shall vest with the new Trustee(s) along with the continuing Trustee or Trustees and shall be utilized for furtherance of the objects of the Trust.
- (10.6) Other than the Settlor/Founder Trustee, the Chairman, the Managing Trustee, and the Treasurer shall not hold office for more than two (2) consecutive terms.

### 11. TERMINATION OF OFFICE OF THE TRUSTEES

- (11.1) Trustees shall cease to hold office on the happening of any of these events
  - (i) On his/her death.
  - (ii) On his/her resignation.
  - (iii) If he/she absents from 4 consecutive meetings of the Trust without informing the Managing Trustee in writing
  - (iv) If he/she is adjudged insolvent.
  - (v) If he/she is found by a competent court of law guilty of an offence involving moral turpitude.
  - (vi) If he/she is found to have acted against the interest of the Trust in a special meeting by at least % of members present.

    (3 out of 5, 4 out of 6, 5 out of 7, 6 out of 8, or 7 out of 9 Trustees)

If he/she becomes an executive member at state or national level of any political party.

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# 12. MEETING AND PROCEEDINGS OF THE BOARD OF TRUSTEES

as may be necessary for the satisfactory conduct of the affairs of the Trust. The Managing Trustee shall convene the meetings of the Trust. An annual meeting of the Trust shall be held in the months of Oct- December each year in which the Annual Report and audited Accounts shall be considered. In the absence of the Chairman, the Trustees present in the meeting shall elect a Chairman among them for the said meeting.

### 13. NOTICE

(13.1) Notice of the meeting of the Board of Trustees stating the general particulars of all business to be transacted, shall be delivered or sent by post to each member of the Board at his/her last known address at least seven (7) days before the meeting.

### 14. QUORUM

- (14.1) The quorum for the meeting of the Board of Trustees shall be three (3) Trustees present at the meeting. If a meeting has to be adjourned for want of quorum, the adjourned meeting does not require quorum and can be held half an hour later in which only urgent items shall be considered,
- (14.2) A minute book shall be kept by the Managing Trustee. Minutes of all proceedings of the meeting of the Board of Trustee shall be entered in the minute book and shall be signed by the Chairman of the Meeting and shall be confirmed in the next meeting of Board of Trustees.

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### 15. VOTING

- (15.1) Decisions of the Board of Trustees may be made at a meeting or by circulation of papers to them. Decisions on routine matters may be obtained by circulation. The important matters are to be decided at the meeting by voting. All matters arising disposal shall be decided by a simple majority of the Board of Trustees present at the meeting. The Chairman of the meeting shall have a casting vote in the event of equality of votes, in addition to his own.
  - (15.2) Any trustee who is unable to be physically present for the meeting shall be authorized to cast his vote by registered post or e-mail, after getting himself fully acquainted of the issue.

# 16. POWERS, FUNCTIONS AND DUTIES OF THE BOARD OF TRUSTEES

- All property of the Trust, movable or immovable or of any other kind, shall vest in the Trust and the Trustees shall manage the whole property and affairs of the Trust and shall have all powers, duties and functions necessary and incidental for carrying out of the objects of the Trust. In particular and without prejudice to the generality of the foregoing provisions the Trustees shall, for the purposes of this Trust have the following powers, duties and functions.
- (16.2) To determine from time to time to commence and to take up the object and purposes for which the funds of the trust shall be used and allot and allocate to each of the objects such portion of the funds as they deem fit.
- (16.3) To purchase and acquire any property, whether movable or immovable, of any kind for the objects of the Trust or as a source of income for the Trust.

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- (16.4) To incur all expenditure necessary as in their own opinion useful for carrying out the objects of the Trust and administration of the Trust.
- (16.5) To open one or more bank accounts of the Trust with any bank or banks as the Trustees may deem fit and deposit money of the Trust in the Bank accounts..
- (16.6) To employ staff of all kinds necessary and useful for carrying out the objects of the trust.
- (16.7) To institute, conduct, defend, compound, withdraw, compromise, adjust, refer to arbitration or to do such things as are incidental and necessary, concerning the affairs of the Trust and to sign and verify vakalatnamas, pleadings, affidavits.
- (16.8) To frame rules, bye-laws and other codes for the conduct of the affairs of the Trust and its transactions and establishing any Committees for any purpose as required relating to the objects of the Trust.
- (16.9) To apply the whole or part of the income or accumulation thereof or whole or part of the corpus of the trust properties for one or more of the objects of the trust as the trustees may from time to time determine.
- (16.10) To join, contribute, promote, takeover or amalgamate or to enter into partnerships with any other society, trust, body or institution, upon such terms and conditions as the Trustees may, in their discretion, decide by at least 1/4 majority (ie, 3 out of 5, 4 out of 6, 5 out of 7, 6 out of 8 or 7 out of 9 trustees) particularly having regard to and in conformity with the objects similar to those of this Trust.
- (16.11) To declare and give bonus, gratuities, or allowances to such persons who may be employees of the trust or the families or dependents of such person as may be decided by the trustees and/or authorized under law or Income Tax Act, 1961 or statutory modification thereof.

- (16.12) To consider and pass the annual budget before the 31st march of each year.
- (16.13) To appoint additional Trustees with the number Specific in clause 9 of this deed.
- (16.14) To do all such things that would be required in the course of administration of the Trust.

## 17. DONATION AND CONTRIBUTION TO THE TRUST

(17.1) The Trustees may accept any donation or contribution in cash or kind from any donor, individual as well as institutional for any project sponsored by the Trust in particular or generally for objects and purposes in pursuance of and in consonance with the permission of these presents.

## 18. BANK ACCOUNT

- (18.1) The Board of Trustees may open such Bank Account or Accounts in any of the nationalized or scheduled bank(s) or private bank(s) in the name of Trust.
- (18.2) The bank account of the Trust shall be operated jointly by The Managing Trustee and any one of the Chairman and the Treasurer.

# 19. REMUNERATION OF THE TRUSTEES

(19.1) The Trustees will not be entitled to receive any remuneration as a Trustee but may be reimbursed for all expenses incurred by them in connection with the Trust or their duties relating thereto.

APPLICATION OF THE PROPERTIES OF THE TRUST

The Trustees shall be empowered to invest the funds of the Trust in movable or immovable properties, in such manner as they deem fit for the purpose of the objects of the Trust provided that such investments shall be in accordance with the provisions of the

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Income Tax Act, 1961 as well as of any other law for the time being in force.

### 21. ACCOUNTS AND AUDIT

- (21.1) The Managing Trustee shall maintain true and correct accounts of all Trust monies and of all the income and investments and all the outgoing expenses
  - (21.2) The year of account shall be the financial year commencing from 1st April and ending 31st March next year.
  - Accountant who may be appointed for the purpose by the Board of Trustees and the audited statement of accounts together with Auditors' report shall be laid before the Board of Trustees for approval.

### 22. SUITS

The Managing Trustee or any other Trustee duly authorised by the other Trustees or majority of them shall have full power to file and defend suits, appeals, applications etc. and any one or more of them, being duly authorized and shall have power to declare, sign and verify all plaints, written statements, memo of appeals, affidavits, etc. and to accept summons, notices etc on behalf of the Trust.

### 23. INDÉMNITY

(23.1)

Every Trustee shall be indemnified out of the fund in respect of any loss arising from or contingent upon any investment made out of the monies of the Trust unless such loss shall have been occasioned by own negligence and also every Trustee shall be indemnified out of the Trust against all proceedings, suits, claims,

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costs, damages and expenses occasioned by any claim in connection with the matters or affairs relating to the Trust created by these presents or in the exercise of powers or discretion vested in them by virtue of these presents.

### 24. DISSOLUTION

- In case it becomes necessary to wind up or otherwise dissolve this

  Trust for whatever reason, neither the Settlor nor the Trustees or
  their heirs/assignees or any other person shall have in any manner
  any right over the funds or the property of the Trust. The Trust
  can only be dissolved if the motion is supported by at least 3 out
  of 5, 4 out of 6, 5 out of 7, 6 out of 8 or 7 out of 9 trustees.
- (24.2) The net funds and other assets, if any, after meeting all liabilities will be handed over to any other similar Trust or Institution satisfying the requirements of the Income-tax Act, 1961 as may be decided by the last Trustees subject further to the condition that it shall so given to an Institution as approved by the District Judge, Dehradun.

### 25. RESIDUARY

(25.1) For matters not provided for in these presents, the provisions of the Indian Trust Act, 1882 and the Income Tax Act, 1961 and rules made there under will apply accordingly.

IN WITNESS WHEREOF THE SETTLOR/FOUNDER TRUSTEE OF THE TRUST HAS SET HIS HAND AND SIGNATURE ON THE DAY, MONTH AND YEAR FIRST ABOVE WRITTEN.

N. E. Phatnagar

SETTLOR/FOUNDER TRUSTEE

# FINGER PRINTS OF THE PARTIES IN COMPLIANCE WITH SECTION 32-A OF THE REGISTRATION ACT 1908

Name and the Address of SETTLOR/FOUNDER TRUSTEE: Dr. Narendra Swarup Bhatnagar, son of Mr. Brahm Swarup Varma, resident of village Kheri Khurd, Pargana Eastern Doon, Rishikesh, Distt Dehra Dun Uttarakhand Prints of the Left Hand:-

Thumb Index Finger Middle Finger Ring Finger Little Finger

Prints of the Right Hand:Thumb Index Finger Middle Finger Ring Finger Little Finger

N.S. Budragar Signature of SETTLOR/FOUNDER TRUSTEE

WITNESSES.

1. 2. La Court General Advisories Grafted by: A.K. Verma, Advocate, Dehradun, typed in his Chamber.

Attested Thus Gopy 50

PADAM SINGH)
Advocate&NOTARY, Dehradun

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TRUE COPY

For KWV Public School

N.S. Bhalnagav Authorised Signatory Chain Knurd Nepall Farm Chowl Shyamour (B. shikesh)

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के पृष्ठ 77 से 110 में नम्बर 162 पर रजिस्ट्रीकृत किया गर्या।

उप निवेच्धक ऋषिकेश

23-Apr-2013

For KWV Public School

N. S. Bhatn Authorised Signatory 10/1

TRUE COPY

MV Public School

Chain Knutd Nepali Farm Chouse
Shyampur (Rishikesh)