



उत्तर प्रदेश UTTAR PRADESH

359248



DEED OF DECLARATION OF THE TRUST

THIS DEED OF DECLARATION OF TRUST is made on this19..... Day of Sept..... 2015 by **Mohammad Sadique S/O Abu Safey R/O Village Mustafabad, P.O. Ambari, Tahsil Phoolpur, District Azamgarh**, the author/founder of this Trust (hereinafter called and referred SETTLOR TRUSTEE).

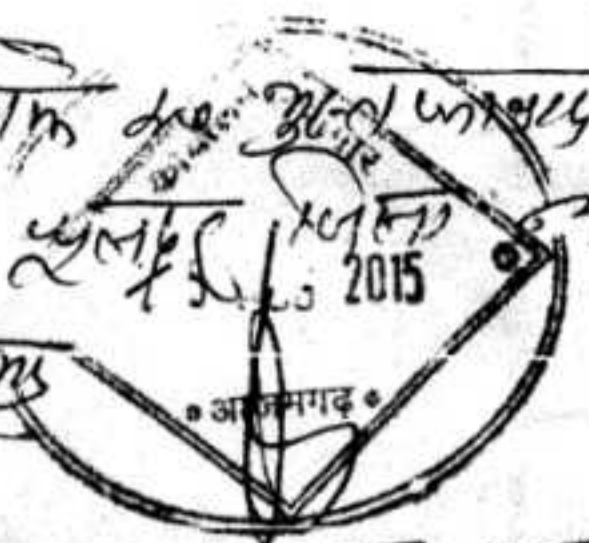
WHEREAS the SETTLOR TRUSTEE being seized with the keenest desire of being service to the humanity, wish to create a Public Trust for the purposes set out hereinafter which are essentially required for the achievement of the goal of the SETTLOR TRUSTEE,

Mohammad Sadique



7052 मुहम्मद सादिक 510 अबु साफे
 Rs-500/-

11/9/2015



वसोम अमर बदन-क
 लोदी, अमर

हरिनारायण
 सहाय रोकड़िया
 कोषागार-आजमगढ़

बस्त-10000/-

100= 60= 160= 3000

वैनामा शुल्क रजि० शुल्क प्रति योग शब्द लगभग

श्री मो० सादिक पुत्र/पत्नी अबुसाफे अबुसाफे

वृत्ति ग्राम मुस्तफाबाद (अब्वारी) सिविल

मुस्तफाबाद जिला-आजमगढ़ न कार्यालय सहाय रोकड़िया निजामाबाद

जिला-आजमगढ़ में आज दिनांक 19-09-15

बजे दिन 19/9/15 के मध्य प्रस्तुत

मो० सादिक

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सद-रजिस्ट्रार

निजामाबाद

19-09-15

उक्त संलेख का सम्पादन व विक्रय मूल्य रु०

नकद/पूर्व प्राप्त करते श्री मो० सादिक पुत्र अबुसाफे

अबुसाफे सा० उक्त ने निष्पादन स्वीकार किया। कुफिर का पेन काड प्रस्तुत है।

जिनका पहचान

शहाबुद्दीन पुत्र अमीरुद्दीन

सा० बालमपुर तहसील मुस्तफाबाद

श्री शाहिक जफर शर्मा सिविल जे० आजमगढ़ ज०

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सद-रजिस्ट्रार

निजामाबाद

19-09-15





उत्तर प्रदेश UTTAR PRADESH

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AND WHEREAS THE SETTLOR TRUSTEE has constituted a sum of Rs.10000.00 (Rupees ten thousand only) as an initial CORPUS of the Trust which may increase by various sources of Income as may from time to time be so. vested in the Trust or be received by the TRUST by virtue of these presents or by operation, to the instant TRUST created hereby;

AND WHEREAS with a view to and for the purpose of constituting the TRUST permanently and perpetually it is considered desirable for the purpose of creation of this TRUST, the declaration of the TRUST be made out in the manner provided as under;

NOW THIS DEED OF DECLARATION OF TRUST WITNESSES AS UNDER;-

मां. साक्षी



87059
Rs. 500/-

8770 010 52

श्री श्री गणेशाय नमः

11/9/2015

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श्री श्री गणेशाय नमः

Shahabuddin

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आरोपित अंगुली चिन्ह नियमानुसार लिए गए
प्रमाण मले आदमी जान बडे।

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सदर सहायक
निजामात
19-09-15

1. **Name :** The name of the trust shall be, **Mother Bashra Educational & Welfare Trust.**
2. **Regd. Office:** The Regd. Office of the Trust will be at **Village & P.O. Nandaon, Tahsil Nizamabad, District Azamgarh (U.P.).**
3. **Area of Operation:** The area of operation of the Trust will be whole India specially the State of Uttar Pradesh with special focus on District Azamgarh (U.P.)

4. Aims & Objects of the Trust are:-

- i. To establish, manage, run and administer on sound principles of education in consonance with the requirements of the country and in conformity with the provisions under Article 26 to 30 of the Constitution of India specially institutions for the primary, secondary and higher education, Medical & Engineering Colleges, vocational and industrial training for educationally backward citizens of the country.
- ii. To establish and manage hostels and libraries;
- iii. To establish and manage free dispensaries, maternity centers, nursing homes and modern clinics,
- iv. To establish and manage welfare centers for old and infirm persons, widows, orphans, unwanted and destitute boys girls and the like;

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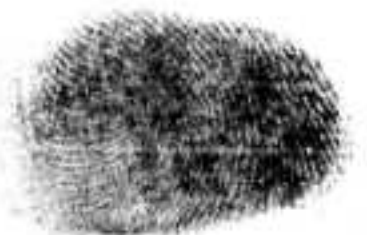
- v. To organize inter religion conventions symposia and seminars etc. for ensuring communal harmony and national integration exchange of views;
- vi. To arrange relief works during droughts, flood-damages and communal disturbances.
- vii. To collect Zakat and establish a Baitulmal for the proper utilization/distribution of Zakat in a manner permitted by or under the Islamic Laws.
- viii. To provide scholarships, assistances, interest free loans to the needy and the poor for education or medical treatment;
- ix. To publish books, periodicals, brochurs and produce Audio, Video, Visual materials for the promotion and dissemination of the objects of the Trust.
- x. To collaborate and associate with local, national and international organizations/ establishments pursuing similar activities as those of the TRUST.
- xi. To undertake any activities incidental to the above mentioned objects of the TRUST.
- xii. To accept donations (in cash or kind), subscriptions, grants, presents, and to collect, dividends rents and other income of the Trust Fund etc. for being utilized to further the objects thereof.

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- xiii. To invest the Trust assets in sound and profitable securities and ventures in bank and elsewhere and to operate the same in such manner as may be expedient;
- xiv. To purchase or hire or to take on lease lands, buildings and other immovable and movable properties in the name of the Trust.
- xv. To invest, dispose off, transfer, and otherwise deal with the subject matter of the Trust in such a manner as the Trustees think fit and proper to do in carrying out the objects of the Trust.
- xvi. To raise or borrow money required for the purpose of the Trust on such terms and conditions as the Trustees shall think fit;
- xvii. To take over the management of any other public or charitable institutions, projects, or branch of any such institutions, on such terms and conditions as the Trustees may deem fit.
- xviii. To acquire by gift, purchase, exchange, lease, hire or otherwise any lands, buildings and any other property movable or immovable and any estate for the furtherance of all or any of the objects of the Trust;
- xix. To create any Reserve Fund, sinking Fund, Insurance Fund, Provident Fund, or any other special Fund whether, for depreciation or repairs, improving, extending or maintaining any of the properties or rights of the Trust and/or for recoupment of wasting assets and/or for benefits of the employees and for any

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other purpose for which the Trust deem it expedient or proper to create or to maintain any such fund or funds.

- xx. To do all such other lawful acts, deeds or things either along or in conjunction with organization as are incidental or conducive to the attainment of any of the above objects.
 - xxi. To provide for the welfare of employees of the Trust.
 - xxii. To make rules and regulations for the conduct of the affairs of the Trust and to add, amend, vary or rescind them from time to time.
 - xxiii. To ensure that all the activities financed from the fund of the Trust shall be conducted in accordance with the ideals and objects as stated herein for the advancements of Ummah and man kind provided that any donation earmarked and accepted for any specific purpose falling within the objects mentioned in these presents shall be used for such specific purposes and;
 - xxiv. To accept upon such terms as the Board of Trustees may think fit, any grant, donation, or contribution in money, kind or land or other property impressed with the Trust to carry out the objects referred to above, provided that the terms upon which such grants, donations, contributions shall not in any way be inconsistent with or repugnant to the objects of these presents.
- j. There will be no demand for any financial aid by the institution from State Government and if the school is already recognized by the U.P. Board and the same school gets affiliation with C.B.S.E. New

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Delhi/Council for the Indian School Certificate Examination New Delhi, then the recognition and grant will automatically be cancelled from the above examination boards from the date of affiliation.

ii.

5. In the discharge of its functions and in the furtherance of its objects the Trust shall be guided by the following basic principles.

- (i) It shall promote friendly relations, understandings, and mutual appreciation amongst the various Indian communities and sections of the Indian Society. The Trust shall not allow or permit any discrimination in carrying out and fulfilling the objects of the Trust on ground of caste, creed or religion.
- (ii) The income and property of the TRUST shall solely be utilized on the objects of the TRUST and no part of it shall be divided amongst its members in any manner form or shape.

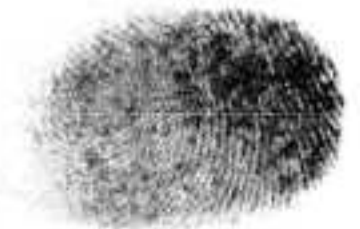
6. MEMBERSHIP OF TRUST:

Any Indian Muslim who is major, sane and has not been declared insolvent by any court of Law may be inducted as a Member of the TRUST.

The affairs of the TRUST shall be managed by:-

- i. Board of Trustees;
- ii. General Body;

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There shall be the following categories of the members of the Trust.

a) **FOUNDER MEMBER/TRUSTEES/SETTLOR TRUSTEES:**

Those muslim persons who promote the Trust to accomplish the aims given under Section (4) of these presents. All the founder members (Settlor Trustees) shall also be life members of the Board of Trustees.

b) **CO-OPTED MEMBERS/TRUSTEES:**

Any muslim person, who is fit to be a member of the Trust may be co-opted as a member of the Trust by the majority decision of the Board of Trustees, provided such person donates or arranges a donation of such amount as may be prescribed by the Board of Trustees from time to time for the Trust or its institution. However the condition of contribution may be waived by the majority decision of the Board of Trustees if such a person has achieved high position in the area of Art, Science, Law and Engineering etc.

The number of such co-opted members shall at any time not exceed one third of the total no. of member of the board of trustees.

The membership of such co-opted members shall be for a period of 03 years from the date of their co-option. However such co-opted members shall continue to remain members of the General Body of the Trust for their life time.

c) **PATRONS:**

The Board of Trustees by majority decision may appoint any number of persons as Patrons of the Trust if it considers such appointment beneficial to the Trust or its Institutions.

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7. GENERAL BODY:

- 7.1** The General Body of the Trust shall comprise all the members referred to in Sub Section (a), (b) and (c) in Section 6 of this Trust Deed.
- 7.2** Office bearers of the Board of Trustees shall also be the office bearers of the General Body of the Trust.
- 7.3** Any muslim person who is fit to be a member of the Trust, may be nominated as a member of the General Body of the Trust by the majority decision of the Board of Trustees, provided such person donates such an amount as may be prescribed by the Board Trustees, to the Trust or its institutions. However the condition of donation may be waived by the majority decision of the Board of Trustees.

8. TERMINATION OF THE MEMBERSHIP:

- 8.1** The membership of any member of the Trust (Board of Trustees and/or General Body) shall automatically terminate as soon as such a member becomes insane, is declared involvement ceases to be a citizen of India, dies or his resignation is accepted by the Board of Trustees.

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- 8.2** The membership of any member of Trust shall automatically terminate as soon as he accepts any office of profit of the Trust or any of its institutions on a permanent paid post.
- 8.3** The membership of any member of the Trust shall also terminate as soon as his blood relation is confirmed holding on a permanent paid post of the Trust or any of its institutions unless otherwise specifically waived by the Board of Trustees in exceptional cases.

9. FILLING VACANCIES:

In case, the membership of any Founder Trustee comes to an end by his resignation, his death, or otherwise, the remaining founder/Settlor Trustees shall nominate another person in his place within 06 months of vacancy. If vacancy occurs due to resignation or death of any Trustee of the Trust (appointed/selected/elected under any of the sub-sections of Section 6 of this deed) the Board of Trustees/General Body as the case may be within one year from the date of occurrence of the vacancy, to fill such vacancy by majority decision.

10. MEETINGS:

- 10.1** The General Body of the Trust shall hold at least one meeting in a year. An extra ordinary meeting of the General Body of the Trust may be called for by the Secretary of the Trust with the prior permission of the Chairman. The right to vote in the meeting of the General Body shall vest only in members of the General Body who have remained members of the

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General Body for at least one year continuously till the date of the meeting.

10.2 NOTICE:

The Secretary of the Trust shall give a 15 days' notice stating place, date and time of the meeting. But in case of an extraordinary meeting, seven days' notice shall suffice. However, in case of urgency, a Resolution can also be passed by circulation.

10.3 QUORUM:

1/3rd of the total membership of General Body of the Trust shall constitute quorum for a meeting of the General Body.

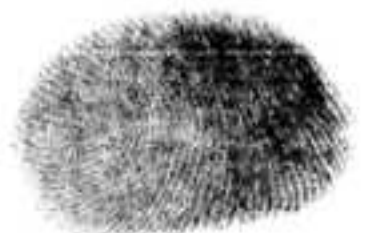
11. POWERS & FUNCTIONS OF THE GENERAL BODY:

- i. To elect, one third members of the Board of Trustees for a period not exceeding three years;
- ii. To deliberate on the Annual Report of the Trust;
- iii. To approve the Annual Budget of the Trust;
- iv. To advise and assist the Board of Trustees in promoting the aims and objects of the Trust;

12. BOARD OF TRUSTEES:

- 12.1** The management and control of the trust and its properties shall vest in the Board of Trustees which shall comprise of a minimum seven members including the SETTLOR TRUSTEES. The number of members of the Board of

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Trustees, however shall not exceed twenty one including the Chairman, Vice Chairman, Secretary, Joint Secretary and the Treasurer.

The founder and life members of the Trust with their positions in the Trust and their addresses are as follows:-

Name of the Trustee	Designation	Postal Address
1. Mirza Sharfuddin Beg S/O Mirza Moinuddin Beg	President/Chairman	Vill. Abdiha Ibrahimpur, P.O. Binapara, Distt. Azamgarh.
2. Abu Saad S/O Abdul-Khalique	Vice Chairman/Vice President	Vill. Surahi Khurd, P.O. Saraimir, Distt. Azamgarh.
3. Mohd. Sadique S/O Abu Safey	Secretary/ Founder/Author of Trust	Vill. Mustafabad, P.O. Ambari, Distt. Azamgarh.
4. Mohd. Sharique S/O Abu Safey	Joint Secretary	-DO-
5. Abu Safey S/O Abu Rafat	Treasurer	-DO-
6. Feroz Talat S/O Abu Talat	Member	Vill. & P.O. Kaura Gahni, Distt. Azamgarh.
7. Mirza Obaid Beg S/O Mirza Sharfuddin Beg	.	Vill. Abdiha Ibrahimpur, P.O. Binapara, Distt. Azamgarh.
8. Mirza Abu Zaid S/O Mirza Sharfuddin Beg	.	-DO-
9. Dr. Abu Salim S/O Azizur Rahman	.	Vill. Towa, P.O. Binapara, Distt. AZAMGARH
10. Mohd. Hakim S/O Azizur Rahman	.	-DO-
11. Mohd. Shahid S/O Abu Bakar	.	Vill. & P.O. Bisaham, Distt. Azamgarh.
12. Mirza Mushir Beg S/O Mirza Sharfuddin Beg	.	Vill. Abdiha Ibrahimpur, P.O. Binapara, Distt. Azamgarh
13. Abul Faiz S/O Sharfuddin	.	Village & P.O. Rajapur Sikraur, Distt. Azamgarh.

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12.2 FUNCTIONS & POWERS OF THE BOARD OF TRUSTEES:

Subject to other provisions of this Deed Declaration of the Trust, the functions and powers of the Board of Trustees shall be as follows:-

- i. To coopt Members of the Board of Trustees as mentioned earlier in the Trust Deed.
- ii. To promote the aims and objects of the Trust,
- iii. To administer and control the affairs of the TRUST with the approval of the General Body of the Trust, wherever it is necessary.
- iv. To have control over the movable and immovable properties of the Trust.
- v. To purchase, sell, hire and take on lease any movable and immovable properties in the name of the Trust;
- vi. To accept movable and immovable assets through donations, contributions, gifts, subscriptions from any person or group of person, trust, societies, companies, Government and Non-Government agencies in accordance with the law or through

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purchase, barter, exchanges, hire/rent, in cash or kind for the benefit of the TRUST.

- vii. To appoint with or without remuneration on such terms and conditions as it may think fit, committees comprising of experts in the field of education and other branches of learning as also agents for carrying out the aims and objects of the TRUST and the institutions under it. Such committees/agents shall function under the authority and control of the Board of Trustees;
- viii. To settle and determine all the matters of interpretation of THESE PRESENTS as well as points of difficulty, doubts, and all the questions arising out in the course of or incidental to the administration, management and execution of the TRUST and such settlement or determination shall be final.
- ix. To settle, compromise or compound all suits, actions, disputes and other proceedings out of the court amicably and to refer any dispute to the ARBITRATION, if necessary;
- x. To borrow money for the furtherance of the objects of the TRUST in such form and manner as it think fit and to enter into such agreements, assurances and deed in relation thereto as deemed proper for taking such loans;

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- xi. To open and maintain, current/saving bank accounts in the name of TRUST with any scheduled bank or banks and forthwith deposit or cause to be deposited the income, rents, dividends, profits and all other money to the credit of the account so opened. The aforesaid accounts shall be operated upon by such TRUSTEES As may from time to time be authorized to do so by a resolution of the Board of Trustees of THESE PRESENTS;
- xii. To authorize by a resolution any scheduled bank or banks in India to collect any income of the Trust on its behalf;
- xiii. To make suitable bye-laws consistent with the aims and objectives of the Trust for facilitating the management, regulation and conduct of the TRUST and where considered necessary to repeat, alter, amend rescind such rules and bye-laws;
- The Board of Trustees shall have to power to amend the constitution of the TRUST if in the majority opinion of the Board Trustees such amendment is essential for the better management of the TRUST or to accomplish the objects of the TRUST.
- xiv. To amalgamate with any other Trust, institution of charity whose objectives are similar to those of THESE PRESENTS.

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- xv. To reimburse out of the TRUST FUND all the expenses incurred by any member of the Trust in or about the execution of the Trust activities. However no member of the Board of Trustees shall be entitled for any salary, stipend, or emolument for the services rendered by him for the Trust.
- xvi. To invest the money of the TRUST in the name of the TRUST.
- xvii. To do all such things as are necessary for the fulfillment of the aims and objects of the TRUST.

12.3 POWERS & DUTIES OF THE OFFICE BEARERS OF THE BOARD OF TRUSTEES:

12.3.1 CHAIRMAN;

- i) The Chairman shall preside over the meetings of the General Body and Board of Trustees of the Trust and other constituent units of the Trust.
- ii) The Chairman will guide the Board of Trustees to accomplish the aims and objects of the Trust.
- iii) The Chairman shall exercise general supervision over the affairs of the Trust and

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other constituent units, and may for the purpose issue instructions to those concerned.

- iv) All contracts, agreements and undertaking of the Trust shall be signed by the Chairman or the Secretary.
- v) The Chairman may delegate any of his powers to the Vice-Chairman for such period and subject to such condition, as he may deem necessary.
- vi) The Chairman shall have casting vote, in case of equality of the votes.

12.3.2 VICE-CHAIRMAN:

- i) The Vice-Chairman shall help and assist the Chairman in due discharge of his duties.
- ii) The Vice-Chairman shall discharge those functions, which are assigned to him by the Chairman.
- iii) Vice-Chairman shall function as Chairman in the absence of the Chairman.

12.3.3 SECRETARY:

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- i) The Secretary shall be the main executive of the Trust.
- ii) The Secretary will implement the schemes and programs of the Trust.
- iii) All correspondence on behalf of the Trust shall be carried out by the Secretary.
- iv) The Secretary will be responsible for the arrangement of the meetings of the Trust, which shall be convened by him with the prior permission of the Chairman.
- v) The Secretary shall prepare the Agenda of the meetings in consultation with the Chairman and shall maintain the minutes of such meetings.
- vi) It shall be the duty of the Secretary to get the accounts of the Trust audited by a firm or Chartered Accountants who shall be nominated by the Board of Trustees.
- vii) The Secretary will look after the working of the Trust and shall exercise supervision and control over the employees of the Trust and in case of slackness or negligence on their part will call explanations from them and place the

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same before the Board of Trustees for its decision.

- viii) The Secretary will act as General Attorney of the Trust in the Court cases against the Trust and shall have power to appoint Lawyers.
- ix) The Secretary shall be empowered to delegate any of his powers to the Joint Secretary.
- x) The Secretary will submit the report of the working of the Trust and its constituent units at the meeting of the Board.

12.3.4 JOINT SECRETARY:

- i) The Joint Secretary shall help and assist the Secretary in his functioning.
- ii) The Joint Secretary shall act and function as the Secretary in the absence of the Secretary.
- iii) The Joint Secretary shall be responsible for those functions, which are assigned to him by the Secretary.

12.3.5 TREASURER:

- i) The Treasurer shall be responsible to maintain the accounts relating to the matters of income and expenditure of the Trust and its

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constituent units and prepare a report regarding thereto and place it before the Board of Trustees.

- ii) The Treasurer will prepare the Budget with the help of expert of finance and present it before the Board of Trustees and General Body for approval.
- iii) The Treasurer will look after such financial matters of the Trust as may be entrusted to him from time to time by the Board of Trustees.
- iv) The Treasurer will be responsible for depositing any money received by the Trust through donations, gifts, contributions, subscriptions, interests, dividends etc. in banks and will issue receipts, vouchers for the money so received.

The Board of Trustees may delegate all or any of the powers of the Treasurer to any founder member of the Board of Trustees for a period not exceeding one year.

13. MEETING OF THE BOARD OF TRUSTEES:

- 13.1. Board of Trustees shall meet time and again to deliberate upon proposals and progress of the working of Trust. All the decisions in the Board of Trustees shall be made by the majority vote of the Board of Trustees. The right to vote in the

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meetings of the Board of Trustees shall vest in such members of the board of trustees only who have remained as a member of the Board of Trustees for at least one year continuously on the date of meeting.

13.2. NOTICE:

The members of the Board of Trustees shall be informed about the venue, date and time of the meeting at least 15 days in advance. In case of Extra Ordinary meetings, the notice shall be given 07 days in advance. However, in case of urgency the Board of Trustees can pass a resolution by circulation also.

13.3. QUORUM:

The Quorum of the Board of Trustee shall be at least 1/3rd of the total members of the Board of Trustees. However, in case of meeting adjourned for want of quorum there will be no requirement of quorum. In that event, however, all requirements of convening meeting shall have to be observed.

13.4. FINANCIAL YEAR AND AUDIT OF THE ACCOUNTS:

i) FINANCIAL YEAR:

The Financial Year of the Trust shall commence from the first day of April and shall end on 31st day of March of the following years.

ii) AUDIT:

The Account of the Trust and its constituent units maintained by the Treasurer and approved buy the Board of Trustees shall be audited by a firm of

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Chartered Accountants after the close of the financial year.

14. DISSOLUTION OF THE TRUST:

In case, it is found necessary to dissolve the Trust, it shall be incumbent upon it to pay off all the debts and liabilities of the Trust. Remaining Assets, if any, shall be donated to any Trust or Association working to promote similar aims and objects in accordance with the relevant resolution of the Board of Trustees approved by the General body of the Trust.

In Witness whereof the author of this Trust as Settlor Trustee has signed this declaration of Public Trust on the19..... day ofsep..... 2015 in the presence of the respective witnesses at Azamgarh.

Mohammad Sadique

Mohammad Sadique



Witnesses:

Shahbuddin

1. Shahbuddin S/O Amiruddin
Vill. Alampur, P.O. Ambari,
District Azamgarh (U.P.)

Shahbuddin

2. Pradeep Kumar S/O Surya Lal
Vill. Mustafabad, P.O. Ambari,
District Azamgarh (U.P.)

Drafted By: Razique Zafar (Adv.) Civil Courts' Azamgarh.

Computerized By: Anwar Ahmad Azmi (Typist) Civil Courts' Azamgarh.