

COLOTONAL TRUST

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K. MAHALAKSHMI
S.V.L. No.3016/@2/95
New No.11. Old No:8, 2nd Street
Mangalapuram, Chetpet,
Changal 31, Call 938285500

TRUST DEED

This **Deed of Trust** executed at on this 2 pth day of August 2019 by;

1) Mr. Rafiq Ahmed Jinnah Moideen, S/o. Mr. Muhamed Ali Jinnah, aged about 45 years, residing at Old No. 8, New No.25, 2nd Street, Jamalia, Perambur High Road, Chennai – 600 012, here in after called as Founder TRUST,

2) Mrs. Basheera, Wife of Mr. Rafiq Ahmed Jinnah Moideen, aged about 37 years, residing at Old No. 8, New No.25, 2nd Street, Jamalia, Perambur High Road, Chennai – 600 012, hereinafter called the TRUSTEE' of the TRUST

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KOTHARI EDUCATIONAL TRUST

New No.11, Old No.8, 2nd Street Mangalapuram, Chetpet, Chennal-31 Cell 9332895090

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WHEREAS:

- The AUTHOR OF THE TRUST along with other trustee have decided to a) create and establish a Trust for educational scholarship for poor and needy people.
- b) To provide home for children.
- c) To provide home for the aged persons.
- To establish Rehabilitation Training Centre for the needy people. d)
- To provide and establish Hemophilia Medical Care Centre for the needy e) people.

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- f) To provide Computer Education Centre for children, poor and needy people.
- g) To help and to provide assistance in any way for the welfare of the community at large without discrimination of caste, creed etc. with objects and constitution as hereafter set fourth;
- h) The further objects of the Trust would include giving a medium of expression to people and for that purpose, set up Social activities to public at large such as setting up Educational institutions for providing general, specific and technical education and for setting up libraries and research centers etc,
- i) WHEREAS the said objects in view, the AUTHOR OF THE TRUST have decided to endow the TRUST a nucleus of Rs.1,000/- (Rupees One Thousand Only) in cash; and
- j) WHEREAS it is necessary and desirable to declare and constitute the said trust and to record the objects and constitution of the said Trust.
- k) The Author of the Trust shall act as a Managing Trustee.

NOW THIS DEED OF DECALRATION OF TRUST WITNESSETH AS FOLLOWS:

1. TRUSTEES means and include the board of Trustees as described in these presents, and these trustees, as appointed, nominated or selected whenever any vacancy arise.

2. CREATION OF THE TRUST:

In pursuance of the intention, the AUTHOR OF THE TRUST has settled the sum of Rs.1,000/- by cash unto and in favour of the Trustees herein to be held by them for and on behalf of the trust hereby created and known as **Kothari Educational Trust**, the receipt of which sum of

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Rs.1,000/- which has already been handed over to the trustees mentioned hereunder, is hereby acknowledged by the Trustees of the said Trust under the terms and conditions, set out hereunder for the fulfillment of the objects of the Trust, more fully and particularly described and set out hereunder.

3. REGISTERED OFFICE OF THE TRUST:

The registered office of the TRUST is situated at present at No.114, Kothari Building, MG Salai, Nungambakkam, Chennai – 600 034, and Administrative Office at the same address will be functioned.

4. TRUSTEES:

The AUTHOR OF THE TRUST hereby affirm that the board of trustees shall be constituted, to start with, the following members to hold the office of the Trust as Trustees:

1) **Mr. Rafiq Ahmed Jinnah Moideen,** S/o. Mr. Muhamed Ali Jinnah, aged about 45 years, residing at Old No. 8, New No.25, 2nd Street, Jamalia, Perambur High Road, Chennai – 600 012, here in after called as Founder and AUTHOR OF THE TRUST

and

2) **Mrs. Basheera,** Wife of Mr. Rafiq Ahmed Jinnah Moideen, aged about 37 years, residing at Old No. 8, New No.25, 2nd Street, Jamalia, Perambur High Road, Chennai – 600 012,hereinafter called the 'TRUSTEE' of the TRUST

All the Trustees who are for the time being and from time to time in office shall constitute and be referred collectively as the BOARD OF TRUSTEES.

5. The Total number of Board of Trustees shall not exceed nine and shall not be less than two.

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6. OBJECTS OF THE TRUST:

- a) The AUTHOR OF THE TRUST along with other trustees have decided to create and establish a Trust for educational scholarship for poor and needy people.
- b) To provide home for children.
- c) To provide home for the aged persons.
- d) To establish Rehabilitation Training Centre for the needy people.
- e) To provide and establish Hemophilia Medical Care Centre for the needy people.
- f) To provide Computer Education Centre for Children, poor and needy people.
- g) To help and to provide assistance in any way for the welfare of the community at large without discrimination of caste, creed etc. with objects and constitution as hereafter set fourth;
- h) The further objects of the Trust would include giving a medium of expression to people and for that purpose, set up other activities to public at large such as setting up institutions for providing general, specific and technical education and for setting up libraries and research centers etc,
- i) The Objects of the Trust is providing Medical-Aid, Socio- Economic Welfare to the poor community.
- j) To establish educational institutions for imparting general, technical, vocational, professional, industrial and other kinds of education and training in and if need be to conduct work shops and other interactions for the utility and welfare of the general public.

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- k) To provide and maintain boarding homes, hostels, etc., for the students studying in the said educational institutions, besides encouraging higher educations and post-graduate studies.
- To maintain study center for the students for imparting general knowledge and guidance and to make them to appear for competitive examinations without charging any fees.
- m) To promote and inculcate the dignity of labour and mankind, the appreciation of intellectual gifts and talents of all kinds.
- n) To supply books, dresses and other paraphernalia incidental to the provision of educational facilities to the students.
- o) To establish, conduct and maintain hospitals, clinics, dispensaries, maternity homes and other institutions for affording medical treatment, care, rest, recuperation and other relief to the general public.
- p) To engage in other constructive national services by establishing and maintaining institutions, study centers, old age homes, orphanages and welfare projects for children, women and weaker sections of the society.
- q) To conduct orientation programs for teachers and social workers in order to improve the quality of education and for improving the socio-economic conditions of the weaker sections of the society.
- r) To create environment awareness among the people and to impart environmental educational to them.
- s) To provide any of the above said schools, colleges, institutes, libraries and other places with infrastructure, equipment, tools for learning facilities, recreational facilities, support services, canteens, catering establishments, medical facilities, books and publications, publication facilities, IT and communication facilities, research facilities, training

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facilities and generally all other matters required for imparting, facilitating, providing, improving, training, research, experimenting, publishing, disseminating, distributing, duplicating, reproducing, replicating and enabling education in any discipline or field whatsoever.

- t) To undertake any activity or to conduct any programme or event or function for any of the above said purposes;
- u) To organize collections, donations, etc, by suitable means;
- v) The benefits of the above objects shall be made available to the general public irrespective of caste, creed, religion or sex. The activities of the Trust shall be of a social and charitable nature and confined to the territory of India.
- w) All the activities of the Trust shall be carried out without any profit motive.
- 7. The funds of the Trust shall comprise:
- (i) Corpus of the Trust.
- (ii) Any donation or gift received by the Trust including movable or immovable properties or any other assets brought into the Trust or any other asset sold or converted as funds or money of the Trust.
- (iii) Any amount realized by sale or transfer of the Trust properties.
- (iv) Income of the Trust otherwise arising to the Trust.
- 8. The corpus of the Trust shall comprise the sum of Rs.1,000/-contributed by the Author of the Trust this day.
- 9. The Author of the Trust has this day transferred the said corpus to the Trustees who shall hold the same for the benefit of the beneficiaries of the Trust.

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- 10. To do all such other acts, deeds and things as may be necessary, incidental, conducive or convenient to the attainment of the above said objects and the advancement of any other objects of general public utility not involving the carrying on any activity of profit.
- 11. The above objects shall be independent of each other. In the unlikely event of any of the above objects considered as invalid for any reason whatsoever, the Trust shall be valid and operative with respect to other objects and the Trust may apply from time to time, the funds and properties of the Trust in carrying out all or any of the valid objects of the Trust, as it may, in its absolute discretion, deem fit.

12. Benefit of the Trust:

The beneficiaries of the trust and activities of the trust shall be limited to the territory of India, irrespective of Caste, religion, race, sex etc.

13. Qualification of the Trustees:

- a. No person of unsound mind or convicted of an offence involving moral turpitude, adjudged insolvent, suffering from physical infirmity which render unfit for active work, in the opinion of Co-Trustees after due enquiry found guilty of gross negligence or dereliction of duty and found disqualified to act as the Trustee according to law for the time being in force governing the Trust, shall hold office or continue to hold office or be appointed as a Trustee.
- b. The Trustee must be an individual and no corporate body be appointed as trustee of this Board or trustees.

14. Cessation of Trusteeship:

A Trustee mentioned below shall cease to be trustee of the Trust if:

a. He/she resigns;

b. He/she becomes insolvent;

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- c. He/she is removed by the majority of the members of the, if it is found that the trustee(s) activities are detrimental to the activities or administration or funds of the Trust.
- d. Any of the above said disqualification.

15. Appointment of Trustees:

Any vacancy in the Board of Trustees shall be filled up by Managing Trustee selecting a suitable person by way of co option.

16. Administration of the Trust:

The administration of the trust shall vest with the Board of Trustees, which consist of not more than nine nor less than two.

17. Power of the Trustees:

The Board of trustees shall have the control and management of the Trust and exercise the following powers:

- 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;
- To purchase and acquire any immovable property of any kind for this object of the Trust or as a source of income for the Trust;
- iii. To take on lease any property;
- iv. To sell, mortgage, or dispose of any immovable property / properties belonging to the Trust;
- v. To incur all expenditure necessary as in their own opinion useful for carrying out the objects and administration of the trust;

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- vi. To enter into any agreements with Govt. Central or State or with local bodies in pursuance of the objects of the Trust and by obtaining from such Govt. or authority, all rights, concessions and privileges that may be conducive to the betterment of the society.
- vii. To donate in cash or kind to all causes of similar objects and charitable purposes by reason of their locality or operation or otherwise.
- viii. To receive endowments for any specific purposes to achieve the objects of the trust and administer them separately.
- ix. To open one or more bank accounts of the trust with any bank or banks as the trustees may deem fit and deposit monies of the Trust in the bank accounts.
- x. To borrow for and on behalf of the Trust with or without security from banks, Governments, Universities or any other government Body / bodies both central and state from any person, body, bank or financial institution, and to execute and register mortgage deeds or memorandum of deposit of title deeds in favour of such borrowings.
- xi. To purchase, take on lease, give on lease, amalgamate, absorb and / or take over any educational institution and administer it efficiently.
- xii. To receive money by way of donations, presents, gifts from the public and grants and subsidies from the govt. in cash or in kind of properties, movable or immovable for the object of the trust.
- xiii. To receive, acquire and improve properties of all kinds, lands and buildings, erect buildings or conveniences necessary or convenient for the purpose of any of the objects of the trust.

xiv. To accept contributions in cash or in kind either by way of addition to the trust funds generally or for any one or more of the specified objects of the Trust.

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- To establish as many adhoc committees for any purpose. XV.
- The Trustees are bound to fulfill the purpose of the Trust and to act xvi. as per the directions contained in this deed.
- The Trustees shall be bound to act with such diligence and care as xvii. may be required to carry out the directions under this deed.
- The Trustees shall take and exercise all reasonable care, attention, xviii. diligence and prudence and should deal with the funds and property of the Trust in the same manner as a prudent man will do of his own properties.
- The Trustees shall be impartial in their dealings in executing the xix. affairs of the Trust and shall be bound to act at all times in the interest of the Trust.
- The affairs of the Trust shall be governed, managed and administered XX. by a Board of Trustees comprising the Trustees named above. All decisions of the Board shall be decided by a simple majority vote.
- xxi. The Trustees shall manage the Trust in accordance with the spirit of the objects of the Trust and shall not commit any breach of Trust or be a party to or privy to a willful breach of Trust.
- The Trustees may engage themselves in such business as may be xxii. required by the Trust so as to promote the objects of the Trust.
- Any of the Trustees authorized in writing by the Managing Trustee xxiii. may appear in Courts on behalf of the Trust to represent and to appear before any Court and to adduce oral and/or documentary evidence in connection with any matter that may be prosecuted or initiated on behalf of the Trust or against the Trust and to admit documents.

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The Board of Trustees may appoint one or more trustees to discharge xxiv. any specific obligation of the Trust in writing and such Trustee or Trustees shall be charged with the due performance of such obligations.

Any Trustee may resign his / her office by sending a letter of XXV. resignation addressed to the Board of Trustees and sent to the office of the Trust and he/she shall thereafter cease to be a Trustee.

Except wherever specifically authorized by this Trust Deed, the xxvi. Trustees cannot delegate either their office or any of their duties to a co-trustee or to a stranger or if the delegation is in regular course of business or that such a delegation has become necessary in the opinion of all the Trustees.

The Trustees, wherever an obligation is imposed by this Trust to act xxvii. jointly or as committees or sub-committees, cannot act individually.

xxviii. All powers or discretion conferred on the Trustees by this Deed of Trust shall be exercised in good faith and in a reasonable manner.

The Trustees shall be entitled to a sittings of as may be decided by xxix. the Board of Trustees within the permitted

The Trustees shall not use any of the trust properties or funds for XXX. their / his own profit or for any purpose unconnected with the Trust.

The Trustees nominated henceforth will have all the rights, powers xxxi. and obligations of the Trustees as per the terms of this Deed.

xxxii. No activity of the Trust shall be carried on outside the territory of India.

xxxiii. The Trust shall not expend more than 5% of its income for religious Document No. 107 20 19

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18. Power of the Managing Trustee:

The Managing Trustee will be the Executive Officer of the Board of Trustees and as such he will have power and authority, for and on behalf of the Board of Trustees.

- i. To carryout the resolutions.
- ii. To sign papers, receipts and documents.
- iii. To pay money due by the Trust and demand / get receipts therefore.
- iv. To demand and receive money due to the Trust and issue receipts therefore.
- v. To open current and / or savings and / or call deposit / fixed deposit accounts in the name of the Trust with such Bank(s) as they may from time to time determined, authorise in this behalf or deposit the funds of the Trust in such accounts and to operate on such accounts on behalf of the Trust.
- vi. To make, draw and use, accept, sign, negotiate or transfer cheques, promissory notes, hundies, bill of exchange, bill of lading, railway receipts, warranty and other negotiable or transferable instruments, Govt. securities or other securities.
- vii. To lease out lands and properties of the trust which are ordinarily leased out or to get on lease lands/properties for the benefit of the Trust.
- viii. To initiate, prosecute, defend, compromise, refer to arbitration or abandon legal proceedings or disputes and to appoint associates for the said purpose.

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- Generally to do all other acts and things necessary or incidental to X. the proper day-to-day management of the institutions and establishments maintained and/or conducted by the Trust.
- To shoulder the entire responsibility for all the assets as well as the xi. liabilities of the Trust.
- The Managing Trustee may initiate and institute execution xii. proceedings, prefer appeals or review or revisions or such other proceedings before competent authorities, courts and Tribunals and to do all or any of the necessary and incidental things therein.
- xiii. 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 vakalats, pleadings, affidavits and other powers.
- xiv. To delegate all or any of the powers vested in the Trustees to anybody to frame rules, bylaws and other codes for the conduct of the affairs of the Trust and its transactions and establishing any Committee:
- The Managing Trustee shall keep all original documents relating to XV. the affairs of the Trust in safe custody.
- xvi. The Managing Trustee may apply for and obtain any sanction, permission, clearance certificate, etc, from Income Tax Department or any other competent authority for the purpose of completion of the sale or registration as the case may be and to give Affidavits, Declarations, etc, in this regard to any Authority.

xvii. The Managing Trustee, may advertise in any newspaper/magazine or any public media for sale of any of the properties of the Trust or Document No..... portions thereof.

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xviii. The Managing Trustee may appoint building contractors, engineers, architects and other skilled or unskilled workers in connection with the construction of any building in any of the properties of the Trust. The Trustees may approach/apply to the concern Authority to obtain necessary permission/approval to carry out structural modification and addition to the building (s) and are empowered to carry out all other actions associated with getting all statutory and other clearances.

xix. The Managing Trustee may pay all taxes, dues, demands and other outgoings on the Trust properties to any Authority and to obtain receipt for the same.

xx. The Managing Trustees may engage Advocates or Pleaders, sign Vakalats or any other Memo of Appearance, sign and verify plaints, written statements, complaints, counter statements, affidavits, petitions and any other document or statement and to apply for certified copies of orders, judgements and depositions and receive the same.

xxi. The Managing Trustee may apply for and obtain certified copies of all judgements, orders, decrees and documents from any court, Tribunal, Authority or other bodies.

xxii. The Managing Trustee may apply for and obtain certified copies and other copies of documents including encumbrance certificates etc, from any Registering Officer or Authority or Tribunal, etc, and to make representations before judicial and quasi judicial authorities including land ceiling and land acquisition authorities and to file objections, contest or accept awards and to prefer and maintain further proceedings of any kind to any superior court, tribunal or authority for all or any of the above said purposes.

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19. Meetings of the Trustees:

The Managing Trustee shall preside over all the meetings of the trustees and in his absence the secretary of the Trust shall preside such meeting and in the absence of both, the trustees attended such meeting may elect any one of them to preside over the meeting.

The meetings of the Trustees may be convened by the Managing Trustee or under his direction by any other Trustees.

The quorum of the meeting of the Trustees shall be two personally present.

In the event of equality of votes, the person presiding such meeting shall exercise casting vote (additional vote).

20. Resolutions:

The Trustees may exercise all the powers vested in them in clause 9 under these presents by resolution passed at a simple majority of the trustees attended such meeting of the Board of Trustees.

Any resolution in writing signed by all Trustees holding office for the time being shall be valid and binding.

21. Suits:

The Managing Trustee of the Trust is authorized to sue or to be sued on behalf of the Trust.

22. Execution of Documents:

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All Deeds, Documents etc., shall be executed by the Managing Trustee and or the secretary of the trust.

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23. Accounts and audit:

The Trustees shall maintain true and correct accounts of all Trust monies and of all the income and investments and all the outgoing expenses.

The year of account shall be the financial year commencing from $1^{\rm st}$ APRIL, and ending $31^{\rm st}$ March.

The Trustees shall each year issue a report setting out the accounts showing the income and expenditure of the Trust for the preceding year not later than six months from the end of the preceding year of accounts.

The accounts of the Trust shall be audited every year by a chartered 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.

24. Bank account:

The Managing Trustee or his authorised Trustees will operate bank account(s)

25. Power to alter rules and regulations:

The Board of Trustees shall have full power and authority to make, alter and rescind rules and regulations for the management and administration of the Trust, without disturbing the main object or the social cost for which the trust was formed and carried out. Such Amendment shall be carried out only with the prior approval of the

Director of Income Tax Exemption.

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26. Application of income and trust fund:

The Board of 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 provision of Section 13(1) read with Section 11(5) of the Income Tax Act, 1961 as well as of any other law for the time being in force as are applicable to charitable trusts.

27. Remuneration to the trustees:

The Trustees are not entitled for any remuneration. But they shall however be entitled to receive out of pocket expenses incurred by them in the course of discharging the functions of the Trust. Further the Income and funds of the Trust will be solely utilized towards the objects and no portion of it will be utilized for payment to Trustees by way of profits, interest, dividend or otherwise.

28. Indemnity:

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, costs, damages and-expenses

occasioned by any claim in connection with the matters or affair relating to the Trust created by these presents or in exercise of powers or discretion vested in them by virtue of these presents.

Funds will not be distributed to any persons named u/s 13(1)(c) of

the Income Tax Act.

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29. Irrevocability:

The Trust is irrevocable.

30. Dissolution:

On dissolution of the Trust, the net assets of the Trust shall be transferred to an association of persons or trust or society having similar objects of this Trust enjoying exemption under section 11 & 80G of the Income tax Act and such other provision incorporated under Income Tax Act or Income tax code.

31. Proceeding of the trust:

Any defect in the constitution of the Trust shall not invalidate its proceedings

32. Residuary:

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

No immovable or movable property in the name of the Trust as on date except this corpus amount of Rs.1,000/-.

IN WITNESS WHEREOF THE AUTHOIR OF THE TRUST HAS SET HIS HAND AND SIGNATURE ON THE DAY, MONTH AND YEAR FIRST ABOVE WRITTEN IN THE PRESENCE OF

WITNESSES:
1. (A. & AHAGUDEEN)

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NO. 37/15, HAWKER JESSON LANE,

3 to Floor SEVEN WELLS,

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Presented in the office of the Sub Registrar of Chennai Central Joint II and fee of ₹ 355/- paid at 12:10 PM on the 04/09/2019 by

Left Thumb





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Additions as per recitals of document

Execution admitted by Left Thumb





Additions as per recitals of document

Claim admitted by Left Thumb





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Additions as per recitals of document

Claim admitted by Left Thumb





Additions as per recitals of document

Identified By

Mr. R MOHAN KUMAR Son of RAGHU KUMAR 15/A, KRISHNADOSS 1ST STREET, MANGALAPURAM PERAMBUR, Chennai, Tamil Nadu, India, 600012.

Mr. A SAHABUDEEN 16/26 of ABDUL KADER 37/15, HAWKER JESSON LANE, 3RD FLOOR, SEVEN WELDSCUCKER Mo. Tamil Nadu India 20600001.

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R/Chennai Central Joint II/Book-4/107/2019

Ath day of September 2019

Joint Sub Registrar

District Registered as Number R/Chennai Central Joint II/Book-4/107/2019.

Date: 04/09/2019
Chennai Central Joint II

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Government of India

ரபிக் அகமது ஜி Rafiq Ahmed J பிறந்த நாள் / DOB : 17/08/1974

ஆண்பால் / Male



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ஆதார் - சாதாரண மனிதனின் அதிகாரம்



இந்திய தனிப்பட்ட அடைபாள ஆணைய அமைப்பு

Unique Identification Authority of India

முகவரா தந்தை / தாய் பெயர்: ஜின்னா என் கே, 25/8, 2வது தெரு பெரம்பூர் ஹை ரோடு, பெரம்பூர் பேரக்ஸ், பெரம்பூர் பேரக்ஸ், சென்னை, தமிழ் நாடு, 600012

Address: S/O: Jinnah N K, 25/8, 2ND STREET PERAMBUR HIGH ROAD, Perambur Barracks, Perambur Barracks, Chennai, Tamil Nadu, 600012

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இந்திய அரசாங்கம் Government of India

பஷிரா ர Basheera R பிறந்த நாள் / DOB : 30/09/1981 பெண்பால் / Female



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ஆதார் - சாதாரண மனிதனின் அதிகாரம்



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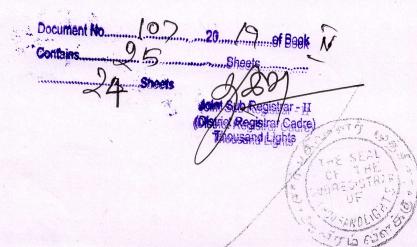
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Unique Identification Authority of India Government of India

பதிவு அடையாளம் / Enrollment No. : 1111/66632/03777

To R Mohan Kumar R Mohan Kumar ர மோகன் குமார் S/O: Raghu Kumar NO 15/A KRISHNADOSS ROAD 1ST STREET MANGALAPURAM PERAMBUR Perambur Barracks Perambur Barracks, Chennai Tamil Nadu - 600012 9043191972

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உங்கள் ஆதார் எண் / Your Aadhaar No. :

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ஆதார் - சாதாரண மனிதனின் அதிகாரம்



Government of India

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Document No

(District/Registrar/Cadre) Thousand Lights