

Ref:-05/D/2021/SMER

Dated – 07-09-2021

SEARCH REPORT & NON-ENCUMBRANCE CERTIFICATE
ANNEXURE – B: Report of Investigation of Title in respect of Immovable Property.
(All columns/items are to be completed/commented by the Panel Advocate)

1.	a) Name of the Branch/ Business Unit/Office seeking opinion.	State Bank of India SME Roorkee
	b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	NIL
	c) Name of the Borrower.	M/s Sitarganj Fibers Pvt. Ltd.
2.	a) Name of the unit/concern/ company/person offering the Property/ (ies) as security.	M/s Sitarganj Fibers Pvt. Ltd.
	b) Constitution of the unit/concern/person/body/authority offering\ the property for creation of charge.	Company
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Borrower
3.	Complete or full description of the immovable property/(ies) offered as security including the following details.	Khasra No. 392/3, 393, 397/3, 392/1, 397/757/1, 397/2, 372, 373, 397/4 & 392/2 having total measuring 7.40 Acres or 2.99 Hect.
	a) Survey No.	Mentioned Above
	(b) Door/House No. (in case of house property)	Mentioned Above
	(c) Extent/ area including plinth/ built up area in case of house property	Khasra No. 392/3, 393, 397/3, 392/1, 397/757/1, 397/2, 372, 373, 397/4 & 392/2 having total measuring 7.40 Acres or 2.99 Hect.
	(d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Village Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar (Uttarakhand). <u>Boundary As Per Sale Certificate 2981 on 22-06-2010:-</u> East:- Not mention in Sale Certificate West:- Not mention in Sale Certificate North:- Not mention in Sale Certificate South: Not mention in Sale Certificate <u>Note:-</u> Kindly ascertain present boundaries of the property by physical verification of accredited Bank's valuer/surveyer.
4.	A) Particulars of the documents scrutinized-serially and chronologically.	1- Seen Original Sale Certificate 2981 on 22-06-2010.
	(a) Nature of documents verified and as to whether they are Originals or certified copies or registration extracts duly certified. Note: Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined.	2- Certified Copy of Sale Certificate 2981 on 22-06-2010. 3- Photo Copy of Sale Deed Serial No. 1499 on 09-06-2003. 4- Photo Copy of Sale Deed Serial No. 1671 on 02-07-2003. 5- Photo Copy of Sale Deed Serial No. 1502 on 09-06-2003 6- Photo Copy of Sale Deed Serial No. 1511 on 10-06-2003. 7- Photo Copy of Sale Deed Serial No. 1503 on 09-06-2003. 8- Photo Copy of Khatauni khata No. 00203 fasli 1426-1431. 9- Photo Copy of Khatauni Khata No. 00149 fasli 1420-1425. 10- Photo Copy of Khatauni Khata No. 00186 fasli 1414-1419. 11- Photo Copy of Khatauni Khata No. 00187 fasli 1414-1419. 12- Photo Copy of Khatauni Khata No. 00188 fasli 1414-1419. 13- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham

(प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला)

लेख या प्रार्थना-पत्र प्रस्तुत करने का दिनांक

07-Sep-2021

प्रस्तुतकर्ता या प्रार्थी का नाम

विरेन्द्र सिंह कण्डारी, एडो

लेख का प्रकार

मुआयना

1

वर्ष

(2,021 - 2,021)

प्रतिफल की धनराशि

0.00

1 रजिस्ट्रीकरण शुल्क

0.00

2 प्रतिलिपि करण शुल्क

0.00

3 इलेक्ट्रॉनिक शुल्क

0.00

4 निरीक्षण या तलाश शुल्क

5.00

Application No 3,903

5 मुख्तारनामा के अभिप्रणालोकरण के लिए शुल्क

0.00

6 कमीशन शुल्क

0.00

7 नकल शुल्क

0.00

8 िविबध

5.00

9 यात्रिक भत्ता

0.00

10 कम रजिस्ट्रीकरण शुल्क

0.00

11 योग

10.00

शुल्क वसूल करने की दिनांक

07-Sep-2021

सब रजिस्ट्रार

सितारगंज (ऊ०सि०नगर)

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर उपनिबंधक, सितारगंज

				<p>Singh Nagar.</p> <p>14- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>15- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>16- Photo Copy of Memorandum & Articles of Association of Sitarganj Fibres Pvt. Ltd.</p>
Sr. No.	Date	Name/ Nature of the document	Original/ certified/ certified extract/ photo copy etc.	In case of copies, whether the original was scrutinized by the Advocate.
1-	21-07-2010	Sale Certificate Serial No. 2981	Seen Original	Yes
5.	a) Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.)			Yes
	b) i) Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents submitted?			Yes
	b) ii) Where the certified copies of the title documents are not available, the copy provided should be compared with the original to ascertain whether the total page numbers in the copy tally page by page with the original produced.			Yes
	(In case originals title deed is not produced for comparing with the certified or ordinary copies should be handled more diligently & cautiously).			
6.	a) Whether the records of registrar office or Revenue Authorities relevant to the property in question are available for verification through any online portal or computer system?			Yes
	b) If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.			All documents are correct
	c) Whether the genuineness of the stamp paper is possible to be got verified from any online portal and if so whether such verification was made?			N/A
7.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?			Sub-Registrar office Sitarganj Distt- Udham Singh Nagar.
	b) Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?			No
	c) Whether search has been made at all the offices named at (b) above?			<p>The Search has made in the office of Sub-Registrar, Sitarganj Distt- Udham Singh Nagar Search Receipt No. 42/38 & 70/58 on dated 09-06-2021 & 07-09-2021.</p> <p>As per record found in the office of Sub-Registrar Sitarganj Distt- Udham Singh Nagar the property is free from all registered encumbrances.</p>
	d) Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question?			N/A
8.	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the Current title holder. And wherever Minor's interest or other clog on title is involved, search should be made for			<p>Amar Kaur D/o Sampurn Singh & Lakhvinder Kaur D/o Chanan Singh R/o Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Amar Kaur D/o Sampurn Singh & Lakhvinder Kaur D/o Chanan Singh R/o Nakatpura,</p>

a further period, depending on the need for clearance of such clog on the Title.

In case of property offered as security for loans of Rs.1.00 Crore and above, search of title/encumbrances for a period of not less than 30 years is mandatory.(Separate Sheets may be used)

Tehsil- Sitarganj, Distt. Udham Singh Nagar & Preetam Singh & Pal Singh & Baldev Singh Sons of Hajara Singh R/o Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Tarsem Singh S/o Kala Singh R/o Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Rampal S/o Rakkha Ram R/o Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Natthu Lal S/o Tej Ram R/o Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Darshan Singh S/o Bakshish Singh R/o Village- Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar & Vickram Singh S/o Darshan Singh R/o Village- Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar Khasra No. 393/2 measuring 0.1230 Hect., Khasra No. 397/4 measuring 0.5150 Hect., Khasra No. 397/1 measuring 0.3480 Hect., 397/757/2 measuring 0.1990 Hect., Khasra No. 397/2min measuring 0.4330 Hect., Khasra No. 393/3 measuring 0.1260 Hect., Khasra No. 393 measuring 0.7580 Hect., Khasra No. 397/3 measuring 0.3790 Hect., Khasra No. 392/1 measuring 0.1200 Hect, Khasra No. 397/757/1 measuring 0.1990 Hect., Khasra No. 397/2 measuring 0.4330 Hect., Khasra No. 372 measuring 0.1770 Hect., Khasra No. 374 measuring 0.3160 Hect. & Khasra No. 373 measuring 0.1640 Hect. was the owner of the Property.

Amar Kaur D/o Sampurn Singh & Lakhvinder Kaur D/o Chanan Singh R/o Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar Khasra No. 397/4 measuring 0.5150 Hect. & Khasra No. 392/2 measuring 0.1230 Hect. executed a Sale Deed in the faovour of M/s Wemasa Fibers Pvt. Ltd., Village- Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar through its Director Irsad Husain S/o Mustaq Husain Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Khand No. 196 on pages 271-292 Serial No. 1503 on 09-06-2003.

&

Preetam Singh & Pal Singh & Baldev Singh Sons of Hajara Singh R/o Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar Khasra No. 374 measuring 0.3160 Hect. executed a Sale Deed in the faovour of Irsad Husain S/o Mustaq Husain R/o Gulabbadi, Moradabad, (U.P.) Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Khand No. 196 on pages 363-382 Serial No. 1511 on 10-06-2003.

&

Tarsem Singh S/o Kala Singh R/o Nakatpura, Tehsil- Sitarganj, Distt. Udham Singh Nagar Khasra No. 393/3 measuring 0.1260 Hect. & Khasra No. 393 measuring 0.758 Hect. & Khasra No. 397/3 measuring 0.3790 Hect. & 392/1 measuring 0.1200 Hect. & Khasra No. 397/757/1 measuring 0.1990 Hect. Total Measuring 1.5820 Hect. executed a Sale Deed in the faovour of M/s Wemasa Fibers Pvt. Ltd., Village- Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar through its Director Irsad Husain S/o Mustaq Husain Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Khand No. 196 on pages 243-270 Serial



No. 1502 on 09-06-2003.

&

Rampal S/o Rakkha Ram R/o Sarkara, Tehsil-Sitarganj, Distt. Udham Singh Nagar Khasra No. 373 measuring 0.1640 Hect. executed a Sale Deed in the faovour of M/s Wemasa Fibers Pvt. Ltd., Village- Sarkara, Tehsil-Sitarganj, Distt. Udham Singh Nagar through its Director Irsad Husain S/o Mustaq Husain Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Khand No. 199 on pages 131-148 Serial No. 1671 on 02-07-2003.

&

Natthu Lal S/o Tej Ram R/o Sarkara, Tehsil-Sitarganj, Distt. Udham Singh Nagar Khasra No. 372 measuring 0.1770 Hect. executed a Sale Deed in the faovour of M/s Wemasa Fibers Pvt. Ltd., Village- Sarkara, Tehsil-Sitarganj, Distt. Udham Singh Nagar through its Director Irsad Husain S/o Mustaq Husain Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Khand No. 196 on pages 193-212 Serial No. 1499 on 09-06-2003.

That land bearing Khasra No. 392/3, 393, 397/3, 392/1, 397/757/1, 397/2, 372, 373, 397/4 & 392/2 having total measuring 7.40 Acres or 2.99 Hect. was mortgaged by the M/s Wemassa Fibers Pvt. Ltd. By way of equitable mortgaged by deposit of Original title Deed with respect to the above mentined land in favour of Jammu & Kashmir Bank Ltd. & others consortium Bank through their Moradabad Branch on 27-11-2003.

That on Account of non Payment of Loan by the borrower M/s Wemassa Fibers Pvt. Ltd. Sarkara the Property was auactinoed by the mortgage Jammu & Kashmir Bank Ltd. Under the provisions of SARFAESI Act. 2002 & SARFAESI (Enforcement) Rules 2002 in favour of auction purchaser M/s Obeetee Textiles Pvt. Ltd. Having its Registered office as Bisunderpur, Civil Lines Mirzapur, for a Consideration of Rs. 13500000/-

Jammu & Kashmir Bank Ltd. Thorough authorized Signatory Abdul Samad Mir (Khasra No. 392/3, 393, 397/3, 392/1, 397/757/1, 397/2, 372, 373, 397/4 & 392/2 having total measuring 7.40 Acres or 2.99 Hect.) executed (on behalf of the auctioneer) a Sale Certificate in the favour of M/s Obeetee Textiles Pvt. Ltd. Village- Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar Regd. office Visandpur, Civil Lines Mirjapur (U.P.) thorough its Authorized Signatory Rajeev Kumar Garg S/o J.P. Garg, R/o Rudrapur, Distt. Udham Singh Nagar. Which was Registered in the office of Sub-Registrar Sitarganj, Distt. Udham Singh Nagar in bahi No. 1 Zild No. 158 on pages 51-72 Serial No. 2981 on 22-06-2010.

That the owner M/s Obeetee Textiles Pvt. Ltd. Village- Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar abovenamed moved an Application before the Hon'ble Hingh Court of Judicature Allahabad under Sec 391& 394 of Companies Act., 156 and vide orders dated 18-12-2012 passed in Company Petition No. 27 of



		<p>2012, the ownership was transferred and demerged from transferor/Demergor M/s Obeetee Textiles Pvt. Ltd. In favour of it's wholly owned Subsidiary M/s Sitarganj, Distt. Udham Singh Nagar having its Registered office at Bisunderpur, Civil Lines, Mirzapur (U.P.).</p> <p>That the Property was mutated in the revenue records in the name of Resulting/ Transfer Company M/s Sitarganj Fibers Pvt. Ltd., Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar (Uttarakhand). Khatauni Khata No. 00149 fasli 1420-1425 (fasli 1420 in the Court of Tehsildar Sitarganj, Distt. Udham Singh Nagar Case No. 30/352 year 2012-2013 order on 28-02-2013).</p> <p>The Land (Khasra No. 394/4, 392/2, 392/3, 393, 397/3, 392/1, 397/757/1, 397/2min, 372, 374, 373 total measuring area 3.3100 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/757/2 measuring 0.1990 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/1 measuring area 0.3480 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p>
9.	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or In am Holder or Govt. Grantee/Allot tee etc.)	Sale deed with full ownership rights.
10.	IF LEASEHOLD, WHETHER;	No
	a) lease Deed is duly stamped and registered	
	b) lessee is permitted to mortgage the Leasehold right,	N/A
	c) duration of the Lease/unexpired period of lease,	N/A
	d) if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub- Lessee also.	N/A
	e) Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	N/A
	f) Right to get renewal of the leasehold rights and nature thereof.	N/A
11.	If Govt. grant/ allotment/Lease-cum/Sale Agreement, whether; grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions,	No
	Whether the mortgagor is competent to create charge on such property,	N/A
	Whether any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available.	N/A
12.	If occupancy right, whether; Such right is heritable and transferable,	No
	b) Mortgage can be created.	N/A
13.	Nature of minor's interest, if any and if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the Reasons for coming to such conclusion.	No
14.	If the property has been transferred by way of GIFT/SETTLEMENT DEED, whether:	No
	a) The Gift/Settlement Deed is duly stamped and registered;	N/A



	b) The Gift/Settlement Deed has been attested by two witnesses;	N/A
	c) The Gift/Settlement Deed transfers the property to Done;	N/A
	d) Whether the Donne has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions;	N/A
	e) Whether there is any restriction on the Donor in executing the gift/settlement deed in question;	N/A
	f) Whether the Donne is in possession of the gifted property;	N/A
	g) Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage;	N/A
	h) Any other aspect affecting the validity of the title passed through the gift/settlement deed.	N/A
15.	(a) In case of PARTITION/FAMILYSETTLEMENT DEEDS, whether the original deed is available for deposit. If not the modality/ procedure to be followed to create a valid and enforceable mortgage.	No
	(b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	N/A
	(c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.	N/A
	(d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/ formalities are completed/ complied with.	N/A
	(e) Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages?	N/A
16.	Whether the title documents include any testamentary documents /wills?	No
	(a) In case of wills, whether the will is registered will or unregistered will?	
	(b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	N/A
	(c) Whether the property is mutated on the basis of will?	N/A
	(d) Whether the original will is available?	N/A
	(e) Whether the original death certificate of the testator is available?	N/A
	(f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator? (Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness/validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother/Original title deeds are to be explained.)	N/A
17.	(a) Whether the property is subject to any Wake rights?	No
	(b) Whether the property belongs to church/ temple or any religious/other institutions having any restriction in creation of charges on such properties?	N/A
	Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	N/A
18.	(a)Where the property is a HUF/joint family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	No.
	(b)Please also comment on any other aspect which may adversely affect the validity of security in such cases?	N/A
19.	(a) Whether the property belongs to any trust or is subject to the rights of any trust?	No
	(b) Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	N/A
	(C) If so additional precautions/permissions to be obtained for creation of valid mortgage?	N/A
	(d) Requirements, if any for creation of mortgage as per	N/A



	the central/state laws applicable to the trust in the matter.	
20.	(a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any Restrictions for creation/enforcement of mortgage.	<p>The Land (Khasra No. 394/4, 392/2, 392/3, 393, 397/3, 392/1, 397/757/1, 397/2min, 372, 374, 373 total measuring area 3.3100 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/757/2 measuring 0.1990 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/1 measuring area 0.3480 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p>
	(b) In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	<p>The Land (Khasra No. 394/4, 392/2, 392/3, 393, 397/3, 392/1, 397/757/1, 397/2min, 372, 374, 373 total measuring area 3.3100 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/757/2 measuring 0.1990 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/1 measuring area 0.3480 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p>
	(c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/ permission obtained.	<p>The Land (Khasra No. 394/4, 392/2, 392/3, 393, 397/3, 392/1, 397/757/1, 397/2min, 372, 374, 373 total measuring area 3.3100 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/757/2 measuring 0.1990 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p> <p>The Land (Khasra No. 397/1 measuring area 0.3480 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.</p>
21.	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.).	No
22.	(a) Whether the property is subject to any pending or proposed land acquisition proceedings?	Not adverse order/s apparent on records
	(b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry.	No
23.	(a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No
	(b) If so, whether such litigation would adversely affect	N/A

	the creation of a valid mortgage or have any implication of its future Enforcement?	
	(c) Whether the title documents have any court seal/ marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking.	N/A
24.	(a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered.	No
	(b) Property belonging to partners, whether thrown on hotchpots? Whether formalities for the same have been completed as per applicable laws?	N/A
	(c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	N/A
25.	a) Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.	Yes
	b) i) Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm ? Yes / No.	No
	ii) If yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company /LLP (seller) and the vendee company (purchaser) ?	The search was limited to Registrar of assurances at Sitarganj, Distt Udham Singh Nagar.
	iii) Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller) ? Yes / No.	No
	iv) If the search reveals encumbrances / charges, whether such charges/encumbrances have been satisfied? Yes/No	The property was found free from all registered encumbrances at SRO Sitarganj, Distt Udham Singh Nagar.
26.	In case of Societies, Association, the required authority/power to borrower and whether the mortgage can be created, and the requisite resolutions, bye-laws.	No
27.	(a) Whether any POA is involved in the chain of title?	No
	(b) Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	N/A
	(c) In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA).	N/A
	(d) In case of Builder's POA, whether a certified copy of POA is available and the same has been verified /compared with the Original POA.	N/A
	(e) In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA.	N/A
	E (i.) Whether the original POA is verified and the title investigation is done on the basis of original POA?	N/A
	ii. Whether the POA is a registered one?	N/A
	iii. Whether the POA is a special or general one?	N/A
	iv. Whether the POA contains a specific authority for execution of title document in question?	N/A
	(f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document	N/A

	in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	
	(g) Please comment on the genuineness of POA?	N/A
	(h) The unequivocal opinion on the enforceability and validity of the POA?	N/A
28.	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/ stamped/ authenticated in terms of the Law of the place, where it is executed.	No
29.	If the property is a flat/apartment or residential/commercial complex, check and comment on the following:-	Industrial
	(a) Promoter's/Land owner's title to the land/ building;	N/A
	(b) Development Agreement/Power of Attorney;	N/A
	(c) Extent of authority of the Developer/builder;	N/A
	(d) Independent title verification of the Land and/or building in question;	N/A
	(e) Agreement for sale (duly registered);	N/A
	(f) Payment of proper stamp duty;	N/A
	(g) Requirement of registration of sale agreement, development agreement, POA, etc.;	N/A
	(h) Approval of building plan, permission of appropriate/local authority, etc.;	N/A
	(i) Conveyance in favour of Society/Condominium concerned;	N/A
	(j) Occupancy Certificate/ allotment letter/letter of possession	N/A
	(k) Membership details in the Society etc.;	N/A
	(L) Share Certificates;	N/A
	(M) No Objection Letter from the Society;	N/A
	(n) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/ Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.;	N/A
	(o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;	N/A
	(p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any.	N/A
	(q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	N/A
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	No
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	As per record found in the office of Sub-Registrar Sitarganj Distt- Udham Singh Nagar the Property is free from all registered encumbrances.
32.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	The aforesaid property lies outside the ambits of municipality therefore is not subject to therefore of taxes of local bodies. Copy of the building Plan/Layout approved by the competent authority having jurisdiction be obtained. Land revenue has been annulled, as the aforesaid land has been declared as non agricultural under the revenue laws.
33.	(a) Urban land ceiling clearance, whether required and if so, details thereon.	The said property is not under the purview of urban land (Ceiling & Regulation) Act, 1976.
	(b) Whether No Objection Certificate under the Income Tax Act is required/ obtained.	Not Required
34.	Details of RTC extracts/mutation extracts/ Khata extract pertaining to the property in question.	No
35.	Whether the name of mortgagor is reflected as owner in the revenue/ Municipal / Village records?	Yes, Title Holder M/s Sitarganj Fibers Pvt. Ltd. name is mutated in the revenue records of Tehsil Sitarganj Distt. Udham Singh Nagar.
36.	(a) Whether the property offered as security is clearly demarcated?	Yes, as per Sale Certificate 2981 on 22-06-2010.

	(b) Whether the demarcation/ partition of the property is legally valid?	Yes
	(c) Whether the property has clear access as per documents?	Yes, as per Sale Certificate 2981 on 22-06-2010.
37.	Whether the property can be identified from the following documents, and discrepancy/doubtful circumstances, if any revealed on such scrutiny?	Yes, Boundary As Per Sale Certificate 2981 on 22-06-2010:- East:- Not mention in Sale Certificate West:- Not mention in Sale Certificate North:- Not mention in Sale Certificate South: Not mention in Sale Certificate Note:- Kindly ascertain present boundaries of the property by physical verification of accredited Bank's valuer/surveyer.
	(a) Document in relation to electricity connection;	Not made available at the time of preparation of TIR
	(b) Document in relation to water connection;	Not made available at the time of preparation of TIR
	(c) Document in relation to Sales Tax Registration, if any applicable;	Not made available at the time of preparation of TIR
	(d) Other utility bills, if any.	Not made available at the time of preparation of TIR
38.	In respect of the boundaries of the property, whether there is a difference/discrepancy in any of the title documents or any other documents (such as valuation report, utility bills, etc.) or the actual current boundary? If so please elaborate/ comment on the same.	No
39.	If the valuation report and/or approved/ sanctioned plans are made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the title deeds. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments Subsequently, on making the same available to the advocate.)	Valuation report was not made available at the time of preparation of TIR.
40.	Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	No
41.	Whether the Bank will be able to enforce SARFESI Act, if required against the property offered as security?	Yes, The Land (Khasra No. 394/4, 392/2, 392/3, 393, 397/3, 392/1, 397/757/1, 397/2min, 372, 374, 373 total measuring area 3.3100 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar. The Land (Khasra No. 397/757/2 measuring 0.1990 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar. The Land (Khasra No. 397/1 measuring area 0.3480 Hect.) is declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.
42.	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	N/A
43.	Whether the governing law/constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.	No
44.	Additional aspects relevant for investigation of title as per local laws.	N/A
45.	Additional suggestions, if any to safeguard the interest of	A Notarized affidavit should be obtained from

	Bank/ ensuring the perfection of security.	the party that he is still owner and in possession over the property and no any dispute pending before any court. The deposited title deed is original sale deed are not fake.
46.	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	M/s Sitarganj Fibers Pvt. Ltd.
47.	Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act,2016? Y/N.	N/A
	Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,	N/A
	Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?	N/A
	Whether the details of the apartment/ plot in question are verified with the list of number and types of apartments or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?	N/A

(VIRENDRA SINGH KANDARI)
ADVOCATE



Certificate of Title

1. I have examined the certified copy of Original Title Deeds intended to be deposited relating to the schedule property/(ies) to be offered as security by way of **Equitable Mortgage** and that the documents of title referred to in the Opinion is valid evidence of Right, title and Interest and that the said Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage is created, it will satisfy the requirements of Equitable Mortgage and I further certify that:
2. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure B and the other relevant factors.
3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices./Sub-Registrar(s)Office(s), Revenue Records of **Sub-Registrar, Sitarganj Distt- Udham Singh Nagar**, Land Acquisition Office, (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid. I am liable /responsible, if any loss is cause to the Bank due to negligence on my part or by my agent in making search.
4. Following scrutiny of Land Records/ Revenue Records and relative certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC) I hereby certify the genuineness of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **01-01-1990 to 07-09-2021** pertaining to the Immovable Property/(ies) covered by above said Title Deeds. **As per record found in the office of Sub-Registrar Sitarganj Distt- Udham Singh Nagar The Property is free from all Registered encumbrances.**
5. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank.
6. Minor/(s) and his/ their interest in the property/(ies) is to the extent of **NIL** (Specify the share of the Minor with Name) (mention in para no. 18).
7. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower, **M/s Sitarganj Fibers Pvt. Ltd.**
8. I certify that **M/s Sitarganj Fibers Pvt. Ltd.** has / have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above title deeds genuine and a valid mortgage can be created and the said Mortgage would be enforceable.
9. In case of creation of Mortgage by Deposit of title deeds, I certify that the deposit of title deeds/ documents would create a valid and enforceable mortgage:-
 1. **Original Sale Certificate 2981 on 22-06-2010.**
 2. **Certified Copy of Sale Certificate 2981 on 22-06-2010.**
 3. **Original Sale Deed Serial No. 1499 on 09-06-2003.**
 4. **Original Sale Deed Serial No. 1671 on 02-07-2003.**
 5. **Original Sale Deed Serial No. 1502 on 09-06-2003**
 6. **Original Sale Deed Serial No. 1511 on 10-06-2003.**
 7. **Original Sale Deed Serial No. 1503 on 09-06-2003.**
 8. **Photo Copy of Khatauni khata No. 00203 fasli 1426-1431.**
 9. **Photo Copy of Khatauni Khata No. 00149 fasli 1420-1425.**
 10. **Photo Copy of Khatauni Khata No. 00186 fasli 1414-1419.**
 11. **Photo Copy of Khatauni Khata No. 00187 fasli 1414-1419.**
 12. **Photo Copy of Khatauni Khata No. 00188 fasli 1414-1419.**
 13. **Photo Copy of Case No. 30/352 year 2012-13 in the court of Tehsildar Sitarganj Distt- Udham Singh Nagar mutation order dated 28-02-2013.**
 14. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 15. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 16. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 17. **Original Memorandum & Articles of Association of Sitarganj Fibres Pvt. Ltd.**
1. There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.
2. It is certified that the property is SARFAESI compliant.

SCHEDULE OF THE PROPERTY/IES

Khasra No. 392/3, 393, 397/3, 392/1, 397/757/1, 397/2, 372, 373, 397/4 & 392/2 having total measuring 7.40 Acres or 2.99 Hect. Village- Sarkara, Tehsil- Sitarganj, Distt. Udham Singh Nagar (Uttarakhand).



Boundary As Per Sale Certificate 2981 on 22-06-2010:-

East:- Not mention in Sale Certificate

West:- Not mention in Sale Certificate

North:- Not mention in Sale Certificate

South:- Not mention in Sale Certificate

Note:-

Kindly ascertain present boundaries of the property by physical verification of accredited Bank's valuer/surveyer.

Enclosed

- 1- Photo Copy of Sale Certificate 2981 on 22-06-2010.
- 2- Certified Copy of Sale Certificate 2981 on 22-06-2010.
- 3- Photo Copy of Khatauni khata No. 00203 fasli 1426-1431.
- 4- Photo Copy of Khatauni Khata No. 00149 fasli 1420-1425.
- 5- Photo Copy of Khatauni Khata No. 00186 fasli 1414-1419.
- 6- Photo Copy of Khatauni Khata No. 00187 fasli 1414-1419.
- 7- Photo Copy of Khatauni Khata No. 00188 fasli 1414-1419.
- 8- Photo Copy of Case No. 30/352 year 2012-13 in the court of Tehsildar Sitarganj Distt- Udham Singh Nagar mutation order dated 28-02-2013.
- 9- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.
- 10- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.
- 11- Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.
- 12- Photo Copy of Memorandum & Articles of Association of Sitarganj Fibres Pvt. Ltd.
- 13- Photo Copy of Sale Deed Serial No. 1499 on 09-06-2003.
- 14- Photo Copy of Sale Deed Serial No. 1671 on 02-07-2003.
- 15- Photo Copy of Sale Deed Serial No. 1502 on 09-06-2003
- 16- Photo Copy of Sale Deed Serial No. 1511 on 10-06-2003.
- 17- Photo Copy of Sale Deed Serial No. 1503 on 09-06-2003.
- 18- Search Receipt No. 42/38 & 70/58 on dated 09-06-2021 & 07-09-2021 from Sub-Registrar Sitarganj Distt. Udham Singh Nagar.


(VIRENDRA SINGH KANDARI)
ADVOCATE

Certificate of Title on the Basis of Certified copies of the Title Deeds

1. I have examined the Certified copies of Original Title Deeds intended to be deposited relating to the schedule property (ies) to be offered as security by way of ***Equitable Mortgage*** and that the certified copies of documents of title referred to in the Opinion are valid as secondary evidence of Right, title and Interest and that the said Registered/ Equitable Mortgage to be created on production of original title deeds will satisfy the requirements of creation of Registered/ Equitable Mortgage and I further certify that:
2. I have examined the Certified copies of Documents in detail, taking into account all the Guidelines in the check list vide Annexure-B and the other relevant factors and undertake to re-examine the original title deeds as and when produced.
3. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices, Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage on production of the original title deeds. I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
4. Following scrutiny of Land Records/ Revenue Records and relative Certified copies of Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC) I hereby certify the genuineness on the basis of the certified copies of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **01-01-1990 to 09-06-2021** pertaining to the Immovable Property/(ies) covered by above said Title Deeds. **As per record found in the office of Sub-Registrar Sitarganj Distt- Udham Singh Nagar the Property is free from all Registered encumbrances.**
6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank.
7. Minor/(s) and his/ their interest in the property/(ies) is to the extent of **NIL** (Specify the share of the Minor with Name).
8. The Mortgage if created, will be available to the Bank for the Liability of the Intending Borrower, **M/s Sitarganj Fibers Pvt. Ltd.**
9. I certify that **M/s Sitarganj Fibers Pvt. Ltd.** has / have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above certified copies of title deeds appear to be genuine and a valid mortgage can be created on the basis of the original title deeds and the said Mortgage would be enforceable.
10. In case of creation of Mortgage by Deposit of title deeds, we certify that the deposit of original title deeds/ documents the certified copies of which have been examined would create a valid and enforceable mortgage:-
 1. **Original Sale Certificate 2981 on 22-06-2010.**
 2. **Certified Copy of Sale Certificate 2981 on 22-06-2010.**
 3. **Original Sale Deed Serial No. 1499 on 09-06-2003.**
 4. **Original Sale Deed Serial No. 1671 on 02-07-2003.**
 5. **Original Sale Deed Serial No. 1502 on 09-06-2003**
 6. **Original Sale Deed Serial No. 1511 on 10-06-2003.**
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 11. **Photo Copy of Khatauni Khata No. 00187 fasli 1414-1419.**
 12. **Photo Copy of Khatauni Khata No. 00188 fasli 1414-1419.**
 13. **Photo Copy of Case No. 30/352 year 2012-13 in the court of Tehsildar Sitarganj Distt- Udham Singh Nagar mutation order dated 28-02-2013.**
 14. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/9 year 2003-2004 order on 11-03-2004) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 15. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/255 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 16. **Photo Copy of declared Non Agricultural u/s 143 UP ZA & LR Act. (Case No. 22/256 year 2009-2010 order on 13-07-2010) by the Court of SDM Sitarganj Distt. Udham Singh Nagar.**
 17. **Original Memorandum & Articles of Association of Sitarganj Fibres Pvt. Ltd.**

There are no legal impediments for creation of the Mortgage on production of original of title deeds the certified copies of which I have examined under any applicable Law/ Rules in force.


(VIRENDRA SINGH KANDARI)
ADVOCATE