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Ref. No. C-729/2018 dated 3/10/2018
Dated Annexure-B

Report of Investigation of Title in respect of immovable Property (TIR) (Revised)

a) Name of the Branch/ Business Unit/Office seeking opinion.	State Bank of India, SME Branch Ranipur Haridwar			
b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	As per instructions			
c) Name of the Borrower.	M/s Prasad Heritage Projects Private Limited, registered Office 6, Shahnazaf Road, Lucknow.			
a) Name of the unit/concern/ company/ person offering the property as security.	M/s Prasad Heritage Project Private Limited, registered Office 6, Shahnazaf Road, Lucknow, is the present owner of the property & it will mortgage this property in favour of State Bank of India			
b) Constitution of the unit/concern/ person/ body/ authority offering the property for creation of charge.	A Private Limited Company.			
c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	As a borrower.			
3. Complete or full description of the immovable property offered as security including the following details.	A constructed Commercial property having Hotel Building on spot bounded in East- Ganga Ji, West- Behari Lal Dharamshala, North- Jaipuria Dharamshala & Road & South- Building of Shri Sukhbeer Sinha, bearing Nagar Nigam House Tax Khata no.41/41, having famous name "Haveli Hari Ganga", situated at Ram Ghat Haridwar (within Limits of Nagar Nigam Haridwar) Tehsil & Distt. Haridwar			
a) Survey No.	Nagar Nigam House Tax Khata no.41/41			
b) Door/House no. (in case of house property)	To be ascertained by the report of Approved Valuer of Bank			
c) Extent/ area including plinth/ built up area in case of house property	To be ascertained by the report of Approved Valuer of Bank			
d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	situated at Ram Ghat Haridwar (within Limits of Nagar Nigam Haridwar) Tehsil & Distt. Haridwar.			
4. a) Particulars of the documents scrutinized-serially and chronologically. b) 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.	1. Certified copy of Municipal Assessment for the period since 1 st April 1988 to 31 st March 1994. 2. Certified copy of Municipal Assessment for the period since 1 st April 1994 to 31 st March 2001. 3. Latest House tax receipt issued by Nagar Nigam Haridwar in the name of present owner M/s Prasad Heritage Projects Private Limited, registered Office 6, Shahnazaf Road, Lucknow named above.			
Sl. No.	Date	Name/ Nature of the Document	Original/ certified copy/ certified extract/ photocopy, etc.	In case of copies, whether the original was scrutinized by the advocate.
1.	18.09.2018	Municipal Assessment	Certified copy	No.
2.	18.09.2018	Municipal Assessment	Certified copy	No.
3.	08.01.2018	House Tax Receipt	Original	N.A.

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	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 mortgage? (Please also enclose all such certified copies and relevant fee receipts along with the TDR.)	N.A.
	a) 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?	N.A.
	b) If 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. (In case original title deed is not produced for comparing with the certified or ordinary copies should be handled more diligently & cautiously).	N.A. as above.
4.	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.	Yes.
	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?	Yes.
7.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub-registrar Haridwar.
	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?	N.A.
	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?	No.
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 dog on title is involved, search should be made for a further period, depending on the need	The property in question with other property was the personal property of Raja Lalita Prasad and Rai Bahadur Sahu Har Prasad. 2. Later on by way of Family Settlement in 1941 this property came in possession & share of Rai Bahadur Sahu Har Prasad and Raja Radha Kaman & their names were mutated in records.

for clearance of such clog on the Title. In case of property offered as security for loans of Rs.100 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets may be used)	3. Later on by way of another family settlement in 1951 this property in question came to exclusive possession & ownership of Sahu Jagdish Prasad and his three sons namely Shri Madhav Prasad, Sahu Girish Prasad and Shri Govind Prasad & all of them had equal 1/4th share in this property. 4. Later on after the death of Sahu Girish Prasad named above in 1961, his 1/4 share came to in the share & possession of his wife Smt. Laxmi Devi & after the death of Sahu Jagdish Prasad in 1953 his 1/4 share was divided equally between his sons Madhav Prasad & Sahu Govind Prasad. 5. Later on after the death of Sahu Govind Prasad in 1977 his share was divided equally between his two sons namely Shri Sidharth Prasad and Shri Rahul Prasad. 6. Later on after the death of Smt. Laxmi W/o Shri Late Sahu Jagdish Prasad in 1996 her 1/4th share was divided as follows:- Sahu Madhav Prasad 1/4 share Shri Sidharth Prasad 1/4 share Shri Rahul Prasad 1/4 share & these persons became the absolute owners of the property & lastly by the Mutation order dated 08.05.2001 passed by Municipal Council Haridwar, this property was mutated in the name of present owner M/s Prasad Heritage Projects Private Limited, registered Office 6, Shahnazaf Road, Lucknow, a Private Limited company floated by Shri Sidharth Prasad S/o & others & name of present owner is also recorded in Nagar Nigam records. Thus the flow of title is complete, but any registered Document of Title of present owner is not available. This property is SARFAESI compliant.
9. Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/ Allottee etc.)	Freehold Rights.
10. If leasehold, whether;	
a) lease Deed is duly stamped and registered	N.A.
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;	N.A.
grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions?	N.A.



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Is the mortgagor competent to create charge on such property?

N.A.

Any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available?

No.

If occupancy right, whether;

N.A.

a) Such right is heritable and transferable,

N.A.

b) Mortgage can be created.

N.A.

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.

There is no interest of minor.

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 Donee;

N.A.

d) Whether the Donee 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 Donee 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.

a) In case of partition/family settlement 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.

Yes.

c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.

Yes.

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.

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		N.A.	Date
d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.		N.A.	
1. 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?	No, the property in question is a constructed Commercial property situated at Ram Ghat Haridwar (within Limits of Nagar Nigam Haridwar) Tehsil & Distt. Haridwar.	
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?	N.A.	
c)	In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/ permission obtained?	N.A., as above.	
2.	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, Coastal Zone Regulations, Environmental Clearance, etc.)?	No.	
22. a)	Whether the property is subject to any pending or proposed land acquisition proceedings?	No.	
b)	Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/ enquiry?	N.A.	
23. a)	Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No, litigation is pending in any court could be ascertained available records, but an affidavit of authorised signatory/ Director borrower company is recommended to be obtained.	
b)	If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	N.A.	
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.	



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1. 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, 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. Are to be verified by the Bank.
2. 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.
3. 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 vendor company (purchaser)?	N/A.
4. 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.	N/A.
5. If the search reveals encumbrances / charges, whether such charges/ encumbrances have been satisfied? Yes/No.	N/A.
6. In case of Societies, Association, the required authority/power to borrow and whether the mortgage can be created, and the requisite resolutions, bye-laws.	No.
7. 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 enforceable as per law.	No.
c) In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builder's Co. Companies/ Partner/ Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign the allotment letters, NOCs, Agreements of Sale, Sale deeds, etc. in favour of buyers of Apartments (Builder's POA) or (ii) other type of POA (Common POA).	No.
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 copy.	No.

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Building Regulations, Control Regulations, Co-operative Societies' Laws etc., for noting the Bank charges in the records of the Housing Society, if any. If the property is a vacant land and construction is yet to be made, approval of layout and other precautions, if any. Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	RRK - Date
Encumbrances, Attachments, and/or claims of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	I have inspected the available record Index 2nd in the office of Sub-registrar Haridwar for a period of 30 years i.e. 01.01.1988 to 2018 up to date and found this property is clear, Freehold, marketable and free from any recorded encumbrance.
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 above.
Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Latest House Tax receipt issued by Nagar Nigam Haridwar is enclosed.
1) Urban land ceiling clearance, whether required and if so, details thereon.	N.A.
2) Whether No Objection Certificate under the Income Tax Act is required/obtained?	N.A.
3) Details of RTC extracts/mutation extracts/Khata extract pertaining to the property in question.	Latest House Tax receipt issued by Nagar Nigam Haridwar is enclosed.
4) Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Yes, the name of present owner is mutated in Nagar Nigam records.
5) a) Whether the property offered as security is clearly demarcated?	Yes.
b) Whether the demarcation/ partition of the property is legally valid?	Yes.
c) Whether the property has clear access as per documents? (The property should be legally accessible through normal carriers to transport goods to factories / houses, as the case may be).	Yes.
6) Whether the property can be identified from the following documents, and discrepancy/doubtful circumstances, if any revealed on such scrutiny? a) Document in relation to electricity connection. b) Document in relation to water connection. c) Document in relation to Sales Tax Registration, if any applicable. d) Other utility bills, if any.	Yes.
7) 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.	N.A.

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Valuation report and/or approved/ sanctioned plans are made available, please submit the same including the comments on the valuation report and/or approved plan are available at the time of preparation of TIR, provide these comments subsequently, on the same available to the advocate.)	Valuation report and approved/ sanctioned plans are to be submitted to Bank. Date _____
any restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	Registered Mortgage of property can be created.
whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?	Yes.
Property is SARFAESI compliant (Y/N)	YES.
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.	Registered Mortgage of property can be created.
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.	N.A.
44. Additional aspects relevant for investigation of title as per local laws.	N.A.
45. Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	Spot inspection & Identity of person executing documents in favor of Bank is recommended to be verified.
46. The specific persons who are required to create mortgage/to deposit documents creating mortgage.	Authorised signatory/ Director borrower company M/s Prasad Heritage Project Private Limited, registered Office 6, Shahnazaf Road, Lucknow through its Director Shri Siddharth Prasad S/o Late Shri Govind Prasad R/o 6, Shahnazaf Road, Lucknow (U.P.)
47. Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2006 ? Y/N	No.
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.

Date- 03/10/2018

Signature of the Advocate

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

I have examined the Copies of Title Documents/ Deeds relating to the schedule property offered as security by way of Registered Mortgage and that the certified copies of documents of title referred to in the Opinion are valid as primary evidence of Right, title and Interest and that the said Equitable Mortgage if created by way of Registered Mortgage, it will satisfy the requirements of creation of Registered Mortgage and I further certify that:-

I have examined the Certified copies of Documents in detail, taking into account all the Guidelines in the check list and enclosure-8 and the other relevant factors and undertake to re-examine the original title deeds as and when required and

I confirm having made a search in the Nagar Nigam records. I also confirm having verified and checked the records of the relevant Sub-Registrar Office. I do not find anything adverse which would prevent the Title Holder from creating a valid Registered Mortgage. 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.

Following scrutiny of Municipal/Nagar Nigam records and encumbrance certificate (EC) I hereby certify the genuineness on the basis of available. 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 01/01/1999 to 2018 up to date pertaining to the Immovable Property covered by above said Title Documents/ Deeds. The property is free from all recorded 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. The Mortgage if created, will be available to the Bank for the liability of the intending borrower M/s Prasad Heritage Project Private Limited, registered Office 6, Shahnazaf Road, Lucknow through its Director Sri Siddharth Prasad S/o Late Sri Govind Prasad R/o 6, Shahnazaf Road, Lucknow (U.P.).

8. I certify that M/s Prasad Heritage Project Private Limited, registered Office 6, Shahnazaf Road, Lucknow (U.P.), has got an its Director Sri Siddharth Prasad S/o Late Sri Govind Prasad R/o 6, Shahnazaf Road, Lucknow (U.P.), has got an absolute, clear and Marketable title over the Schedule property. I further certify that the above Title Documents/ Deeds appear to be genuine and a valid Registered Mortgage can be created and the said Mortgage would be enforceable.

9. 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:-

N.A., as the Registered Mortgage of property can be created

There are no legal impediments for creation of the Mortgage under any applicable Law/ Rule in force.

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.

SCHEDULE OF THE PROPERTY

A constructed Commercial property having Hotel Building on spot bounded in East- Ganga, West- Behari Lal Tharanshah, North- Jajuria Tharanshah & Road & South- Building of Sri Subbeer Sinha, bearing Nagar Nigam House Tax Khata no.41/4, having famous name "Nawal Hari Ganga", situated at Kam Ghat Haridwar (within limits of Nagar Nigam Haridwar) Tehsil & District, Haridwar.

Date: 31/10/2018

Signature of the advocate

