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ANNEXURE - IV

SPECIAL REPORT ON TITLE

Reg: Property situated at- All that part of Khata no. 13, Khet No.131, Rakba 0.090 hectrs. Min Rakba 0.005 Hectrs. Or 50 sq. mtrs. unirrigated land situated in Mauza Siya Kempty, Patti Chhaijula, Tehsil Dhanolti, Distt. Tehri Garhwal.

ASPECTS TO BE CONSIDERED		COUNSEL'S STATEMENT
A. <u>PARTICULARS</u>		
1. Name of the Borrower with address		Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar, Tehsil Dhanolti, Distt. Tehri Garhwal.
2. Name of the person offering Mortgage with parentage/constitution and address :		Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar, Tehsil Dhanolti, Distt. Tehri Garhwal.
3. Details of the property to be mortgage As per title deed --- As per present position ---		All that part of Khata no. 13, Khet No.131, Rakba 0.090 hectrs. Min Rakba 0.005 Hectrs. Or 50 sq. mtrs. unirrigated land situated in Mauza Siya Kempty, Patti Chhaijula, Tehsil Dhanolti, Distt. Tehri Garhwal.
B. <u>INVESTIGATION</u>		
1. Details of the title deeds/documents (including Link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details of registration)		Sale Deed dated 27.10.2007 registered as book no.1, vol. 481, on pages 97/104 as document no. 3176 on 08-11-2007 in the office of Sub Registrar Tehri.
2. Whether documents given to the counsel are original* one or mere copies of documents?(*Counsel should examine original documents only and if any of the documents in original is not shown, the details of the document be given with reasons thereof) Original		YES.
3. Whether documents given as original title deeds raise any doubt or Suspicion ?		NO.
4. Whether the particulars of registration as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?		YES
5. Whether the registration particulars number & date and page particulars as given in the title deed tally with the particulars as stated in the certified copy as obtained from the registrar's office?		YES
6. Whether the photographs of parties as affixed in conveyance deed/ title deed		YES

tally with the photograph seen in the certified copy as obtained from the registrar's office?	
7. Whether contents of the as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office? If not, variations be specified. What is its effect?	YES
8. Whether the property has been mutated in the name of the person offering the mortgage?	YES., Has been mutated in Revenue, Deptt. Tehri.
9. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	YES
10. Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (In some States, there are legal restrictions on creation of the mortgage of agricultural property for non-agricultural purposes).	NO
11. Whether there are any restrictions regarding sale of the property to be mortgaged? (In some States, there are restrictions for sale of property to residents outside the State).	NO
12. Whether all the approvals, clearance/sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained?	N/A
13. Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property? If so, its effect thereof.	N/A
14. Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894?	
15. Whether Urban Land Ceiling Act is applicable in the State where the property is located?	
16. In case of leasehold property, whether permission/NOC from the lessor is required for creation of mortgage? whether permission of the lessor/NOC is obtained?	N/A
17. What is the rate of sharing of unearned income with lessor, in the event of sale of the property?	N/A
18. Whether copy of title deed favouring lessor (other than Govt.)	NO.
	N/A

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	is made available to examine the validity of the lease?	
	19. Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	N/A
	20. Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax	N/A
	21. Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax	N/A
	22. Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor? (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation.)	N/A
	23. Is SARFAESI Act is applicable ?	YES

DATE : 13.06.2018

PLACE : Mussoorie

(NAME OF THE COUNSEL)

CERTIFICATE

REFERENCE NO.... NIL.

Manoj Saili, Advocate, No.1,
Lawyers Chamber, Nagar
Palika Road, Mussoorie.

ENTRY SERIAL NO. /REGISTER NO. OF YEAR 201.
(Counsel to give serial no. to the certificate as entered in register of searches
maintained by him)

DATE : -13.06.2018

The Manager
Punjab national bank,
Mussoorie.

Opinion on investigation of title and obtaining of search report in respect of Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar, Tehsil Dhanolti, Distt. Tehri Garhwal.

As requested, I have conducted the legal investigation of the title and made a search of records in the registration office Tehri and other offices as required in the matter.

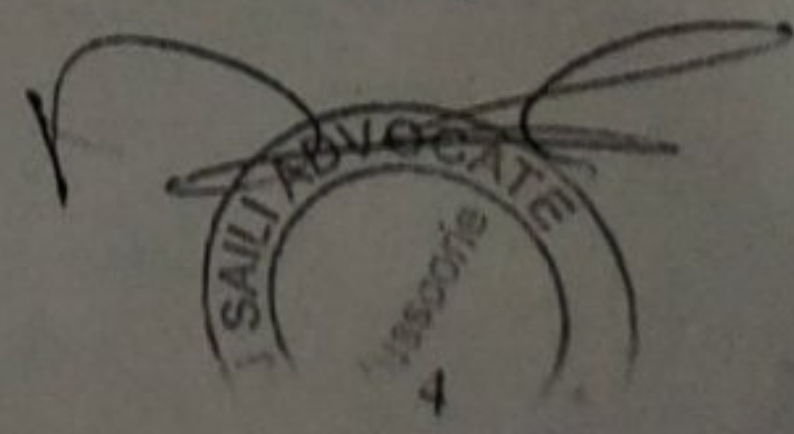
I have answered all the queries in the Special Report which is enclosed.

I hereby certify that the registration particulars- number, date and page particulars etc., as shown in the original title deed and contents thereof tally with the information as stated in the records of office of Sub-Registrar/Registrar of assurances as well as with certified copy of the title deed, which was obtained by me is enclosed with this certificate.

I further certify that the photograph of previous owner and of intending mortgagor affixed /seen in the title deed tally with records of registration office as well as certified copy of the title deed.

Chain of title relating to the property is complete as given in the Annexure hereto.

I have verified, tallied and compared these documents from the record of the office of Sub-Registrar/Registrar of assurances Tehri, and also from the records of other appropriate authorities.


A circular stamp with the text "I SAILI ADVOCATE" and "Mussoorie" around the perimeter. The number "4" is written at the bottom of the stamp.

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The search report of which is annexed hereto, conducted by me, for the period from 2000 to 2018 does not disclose any encumbrances/disclose encumbrances as stated therein.

I have not given opinion earlier on investigation of title relating to the same property as detailed hereunder:

- (a) Name of lender-
- (b) Date of opinion & reference no.(if any)
- (c) Remarks -

I find following defects/no defects in the title of the person offering mortgage:- No defect

I hereby certify that Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar, Tehsil Dhanolti, Distt. Tehri Garhwal, had a clear, valid and marketable title over the said property and he/she is competent to create the mortgage.

The valid mortgage can be created by deposit of the following original title deed
The said title deeds are Original and genuine and are not duplicate or fake as observed by me—

(Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

Sale Deed dated 27.10.2007 registered as book no.1, vol. 481, on pages 97/104 as document no. 3176 on 08-11-2007 in the office of Sub Registrar Tehri.

"I shall be liable/responsible, if any loss is caused to the bank due to negligence on my part in making the search and bank has the unqualified right to publish my name for including in the caution list being maintained by the INDIAN BANK' ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY FOR CIRCULATION AMONGST BANK/ Financial Institutions."

I have returned the title deeds and other documents shown to me to the Branch official Mussoorie, against receipt.

- Encl : 1. Special Report
2. Chain of Title
3. Certified Copy of Title Deed
4. Search Report



SEARCH REPORT

Account _____
BO- Mussoorie

Search report relates to searches made in :

- a) Sub Registrar Office Mussoorie.
b) Registrar of Companies. ---
c) Courts. ----
d) Other offices : N/A.

- a) Office of the Co-operative Society. N/A.
b) _____ Development Authority.
(DDA/HUDA/and the like)
e) Any other documents
i) Receipt for payment of Municipal Taxes etc. Enclosed.

1. Sub Registrar /Registrar of Assurance Office
The encumbrance certificate was obtained from the Sub Registrar, Tehri for the period from and the same disclosed following encumbrances (Certificate enclosed):

There is no system of issue of encumbrance certificate in the office of Sub registrar,

2. Besides obtaining encumbrance certificate from the Sub Registrar, personal search was carried out by me for the purpose. Inspection was made on 26.5.2018 for the period from 2000 to 2018 at the sub registrar / offices Tehri, receipt no 19/44 dt. 26.5.18 for Rs. 100/-.

The search report disclosed the followings encumbrances:-

3. The Ownership of the property being of a company, search was conducted in the following offices of the registrar of companies: - N/A.

The search made out in the office of Registrar of Companies disclosed:-

ROC	INFORMATION

4. Inspection of Court records disclosed :- N/A.
(This may detail Suit pending, Decrees, Attachment before Judgment Injunction, Appointment of Receiver, Appointment of Liquidator)

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Name of Court	Date of Order	Nature of Order

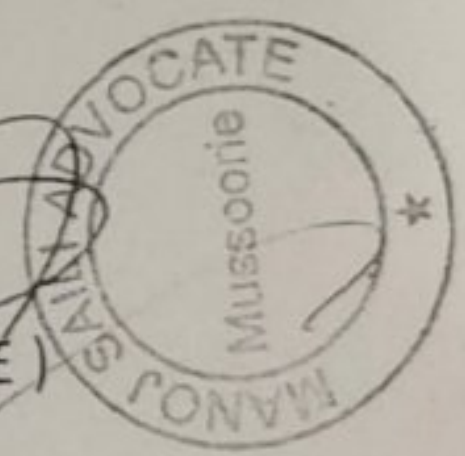
5. Searches made / Inspections carried out in the following offices disclosed :

Office	Date of search / Inspection	Information
Sub Registrar Tehri	26 .05.2018	

6. A study of the following documents disclosed :

Details of documents perused	Information
Sale Deed dated 27.10.2007 registered as book no.1, vol. 481, on pages 97/104 as document no. 3176 on 08-11-2007 in the office of Sub Registrar Tehri.	As stated on the left.

Defects noticed are indicated in the Certificate given by me- NIL.

(ADVOCATE) 

PROPERTY DECLARATION FORM

PLACE Mussoorie.

DATE: 13.06.2018

The Manager
Punjab National Bank
Mussoorie.

Dear Sir,

Ref: My/Our/or Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar,
Tehsil Dhanolti, Distt. Tehri Garhwal for credit facility (ies) from your Bank

Reg: My/Our property proposed to be mortgaged to your Bank

The details of my/our aforesaid property are as under:-

1. Location & Address:- All that part of Khata no. 13, Khet No.131, Rakba 0.090 hectrs.
Min Rakba 0.005 Hectrs. Or 50 sq. mtrs. unirrigated land situated in Mauza Siya
Kempty, Patti Chhajula, Tehsil Dhanolti, Distt. Tehri Garhwal.

2. Nature of Property: Residential
3. Nature of tenure, i.e. free hold or lease hold. If lease hold, N/A.

Land Area	Dimensions	Yearly Ground Rent	Lease Tenure	Date of Commencement of Lease	Name and Address of Lessor

4. If free hold

Land Area	Dimensions	Date of Purchase	Purchase Price (Rs.)
	All that part of Khata no. 13, Khet No.131, Rakba 0.090 hectrs. Min Rakba 0.005 Hectrs. Or 50 sq. mtrs. unirrigated land situated in Mauza Siya Kempty, Patti Chhajula, Tehsil Dhanolti, Distt. Tehri Garhwal.	27-10-2007	

5. Year of construction of the existing structure:

Commencement (Date)	Completion (Date)	Cost of construction (Rs.)	Purchase price if built-up premises purchased (Rs.)
--	-	-	

6 Floor-wise details of Covered Area:

Basement (Sq. Ft.)	Ground Floor (Sq. Ft.)	1st Floor (Sq. Ft.)	2 nd Floor (Sq. Ft.)	3 rd Floor (Sq. Ft.)	Total (Sq. Ft.)
-	-	-	-	--	

7 Present Use (Whether self-occupied or vacant or leased etc.): Self acquired.

8 Occupancy details of the property:

- a) Area in my/our occupation (In case of Self-occupied portion)
- b) In case the property is tenanted, the tenancy statement is as under:

Name of Tenant	Area/Floor	Monthly Rent	Since when tenanted	Tenancy end on
-	-	--	---	--

9 Present Annual Market Rental Value:

Rs. _____

10 Municipal Valuation for Property Tax purposes:

Rs. _____

11 Full Names and addresses of the owners of the property alongwith the shares of each.

In this context, I/We enclose the following documents in original : -----

- a) Title deeds of the property establishing complete chain of the title-

Whereas

- b) Property Tax Receipts, Ground Rent Receipts for the last three year

I/We further declare and certify as under:

- That the property is not subject to or affected by any trust, suit, court order, mortgage, charge lien, attachment or any other encumbrance and is not under any dispute/litigation etc. whatsoever. NO.
- That the property is not affected by:
 - Any Scheme of acquisition;
 - Any Scheme of amalgamation of the Company/Corporation or any other Scheme under any other Act;
 - Any notice under the Land Acquisition Act or any other Act etc.
- That no agreement of sale of any part or whole of the property has been entered with any person whatsoever and no earnest money has been received. No
- That the property has never been vested in any official trustee, official assignee or official receiver. NO.
- That no proceedings under the provisions of income tax are pending against me. NO.

6. That I/We shall pay all the property taxes and ground rent etc. to the competent authorities regularly in future also and deposit the relative receipts with the Bank. All paid, receipts attached.
7. That I/We shall pay to you immediately on demand all costs which you may incur in taking legal opinion about the title of the property, searching records of sub-registrar etc., of obtaining valuation report on the property from an approved valuer of the Bank whether the proposal for advance ultimately matures or not. I/We shall also bear all the out of pocket expenses (including charges for preparation of deeds, advocate's fees, secretarial charges, charges of execution, cost of inspection, stamping and registration of documents etc.) which the Bank may incur in this connection and all the decisions of the Bank in this connection shall be fully binding on me/us.

Signature of
The Applicant _____

Signatures of
the owners _____

Smt. Sureshi Devi w/o Sri Surendra Singh, R/o Village Kharak, Patti Silwar, Tehsil Dhanolti, Distt. Tehri Garhwal

Name and Address of the applicants

Name and addresses of the owners