



Thakral & Thakral

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Gyaaneshwar Thakral

M.A. (Eng.), LLM, Advocate & Notary

Mobile No. : 9219156533

Ref. No.

TIR/ Annexure - B:

Reference no. BA-547/2024

Date 21/06/24

Report of Investigation of Title in respect of Immovable Property

1	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 Bank's Instructions
	c) Name of the Borrower.			M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.
2	a) Type of Loan			Term Loan /C.C. Limit
	B) Type of property			An Industrial Property
3.	a) Name of the unit/concern/ company/person offering the property as security.			M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar, is the present title holder of this property by way of registered Lease Deed dated 30.05.2009.
	b) Constitution of the unit/concern/ person/ body/ authority offering the property for creation of charge.			A Proprietorship firm
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)			As a Borrower Firm
4.	a) Value of Loan (Rs. In Crores)			Rs.
5.	Complete or full description of the immovable property offered as security including the following details.			An Industrial property having plot of land bearing Industrial Plot no. 78, having total plot area of 900 square meter, bounded in East- Plot no. 77, West- Plot no. 79, North- 5/F5 & South- Road 18 meter wide, situated at Sector-5, IIE SIDCUL Haridwar Tehsil & Distt Haridwar.
	(a) Survey No.			An Industrial property having plot of land bearing Industrial plot no. 78
	(b) Door/House no. (in case of house property)			To be ascertained from the report of approved valuer of Bank.
	(c) Extent/ area including plinth/ built up area in case of house property			having total land area of 900 square meter
	(d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.			situated at Sector-5, IIE SIDCUL Haridwar Tehsil & Distt Haridwar
6..	a) Particulars of the documents scrutinized-serially and chronologically.			Original registered lease deed dated 02.05.2006 registered in bahi no. 1 zild 1190/1762 pages 287/1-62 serial no. 4644/4645 dated 02.05.2006 in the office of Sub- registrar Haridwar, executed by State Industrial Development Corporation of Uttaranchal Limited (SIDCUL), a company within the meaning of the Companies Act 1956, and having its registered office at SBI Building Secretariat Dehradun & Head Office at 2, New Cantt. Road Dehradun in favor of present title holder M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.
	(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.				
	Sr. No.	Date	Name/ Nature of The Document	Original/ certified copy/ certified extract/ photocopy, etc.
	1.	02.05.2006	Registered Lease deed	Original
7	a) Whether certified copy of all title documents are			Yes

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No.	Question	Answer	Date
	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. 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? (In case originals title deed is not produced for comparing with the certified or ordinary copies should be handled more diligently & cautiously).	N.A. as above.	
8.	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, records of registrar office relevant to the property in question are available for verification through online portal/ computer system.	
	b) If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Yes, records of registrar office relevant to the property in question available through online portal/ computer system are verified/cross checked & found in order.	
	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?	No.	
	d) Whether proper registration of documents completed. Details thereof to be provided	Yes	
9.	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?	N.A.	
10.	<p>Chain of title:</p> <p>The property in question with other property was the property of State Industrial Development Corporation of Uttaranchal Limited (SIDCUL), a Company within the meaning of the Companies Act 1956, and having its registered office at SBI Building Secretariat Dehradun Distt. Dehradun (Uttarakhand) and Head Office at 2, New Cantt Road, Dehradun and Head office at 29, IIE (IT Park) Shastradhara Road Dehradun -248001.</p> <p>2- Lastly State Industrial Development Corporation of Uttaranchal Limited (SIDCUL), a Company within the meaning of the Companies Act 1956, named above transferred this property by way of 90 years lease by way of registered lease deed dated 02.05.2006 registered in bahi no. 1 zild 1190/1762 pages 287/1-62 serial no. 4644/4645 dated 02.05.2006 in the office of Sub- registrar Haridwar in favor of present title holder M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.</p> <p><u>As the property is an Industrial property /plot situated in SIDCUL, Haridwar, developed by State Infrastructure and Industrial Development Corporation of Uttarakhand Limited (SIDCUL), a company within the meaning of the Companies Act 1956, and founded in the year 2002 as a Govt. of Uttarakhand Enterprises, accordingly the inspection of the concerned record in the office of Sub registrar, Haridwar is completed at the time of submission of this TIR and found that the chain of title is complete.</u></p> <p>I further certify that the provisions of the SAREAFESI Act 2002 are applicable to this property.</p> <p>I have examined the documents relating to the title history of the holder in the property as above and established all the transitions have been duly verified from the relevant records from the concerned department and I also gave my careful thought to the legal aspect of the case in view of safeguard in the respect of the Bank.</p>		

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10.	b. wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title.	No. _____ Date _____
	c. 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.	N.A.
11.	a. 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.)	Leasehold Rights.
	If Ownership Rights	Leasehold Rights
	a. Detail of the Conveyance Documents	Registered lease deed dated 02.05.2006 registered in bahi no. 1 zild 1190/1762 pages 287/1-62 serial no. 4644/4645 dated 02.05.2006 in the office of Sub- registrar Haridwar, executed by State Industrial Development Corporation of Uttaranchal Limited (SIDCUL), a company within the meaning of the Companies Act 1956, and having its registered office at SBI Building Secretariat Dehradun & Head Office at 2, New Cantt. Road Dehradun in favor of present title holder M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.
	b. Whether the document is properly stamped.	Yes.
	c Whether the document is properly registered	Yes
	If leasehold, whether;	Yes.
	a) lease Deed is duly stamped and registered	Yes.
	b) lessee is permitted to mortgage the Leasehold right,	Yes,
	c) duration of the Lease/unexpired period of lease,	Total duration of Lease is 90 years.
	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)?	Yes.
	f) Right to get renewal of the leasehold rights and nature thereof.	N.A.
	If Govt. grant/ allotment/Lease-cum-Sale Agreement, whether;	N.A.
	a. grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions,	N.A.
	b. the mortgagor is competent to create charge on such property,	N.A.
	c. whether any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available.	Permission to transfer is already issued by SIDCUL.
	If occupancy right, whether;	N.A.
	a) Such right is heritable and transferable,	N.A.
	b) Mortgage can be created.	N.A.
12.	a) Has the property has been transferred by way of Gift/Settlement Deed	No.
	b) The Gift/Settlement Deed is duly stamped and registered;	No.
	c) The Gift/Settlement Deed has been attested by two witnesses;	No.
	d) Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	No.
	e) The Gift/Settlement Deed transfers the property to Donee;	No.
	f) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions?	No.
	g) Whether the Donee is in possession of the gifted	No.

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10.	property?		Date
	h) 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?	No.	
	i) Any other aspect affecting the validity of the title passed through the gift/settlement deed.	No.	
13.	Has the property been transferred by way of partition/family settlement deed	No	
	(a) whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage.	Not Applicable	
	(b) Whether mutation has been effected	Not Applicable	
	(c) Whether the mortgagor is in possession and enjoyment of his share	Not Applicable	
	(d) Whether the partition made is valid in law and the mortgagor has acquired a mortgage-able title thereon.	Not Applicable	
	(e) In respect of partition by a decree of court, whether such decree has become final and all other conditions/formalities are completed/ complied with.	Not Applicable	
	(f) 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?	Not Applicable	
14.	Whether the title documents include any testamentary documents /wills?	No	
	(a) In case of wills, whether the will is registered will or unregistered will?	Not Applicable	
	(b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	Not Applicable	
	(c) Whether the property is mutated on the basis of will?	Not Applicable	
	(d) Whether the original will is available?	Not Applicable	
	(e) Whether the original death certificate of the testator is available?	Not Applicable	
	(f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?	Not Applicable	
	(g) 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.	Not Applicable	
15.	Whether the property is subject to any wakf rights/belongs to church/temple or any religious/other institutions	No	
	(a) any restriction in creation of charges on such properties?	Not Applicable	
	(b) Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	Not Applicable	
16.	(a) Where the property is a HUF/joint family property?	No.	
	(b) Whether 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.	Not Applicable	
	(c) Please also comment on any other aspect which may adversely affect the validity of security in such cases?	Not Applicable	
17.	(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?	No	

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No.		Date
	possession; (k) Membership details in the Society etc.; (l) Share Certificates (m) No Objection Letter from the Society; (n) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.; (o) Requirements, for noting the Bank charges on the records of the Housing Society, if any; (p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any. (q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	
	II.A Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2016? Y/N	No.
	II.B Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,	N.A.
	II.C Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?	N.A.
	II.D 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.
28.	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
29.	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.	I have inspected the available record Index 2nd in the office of Sub-registrar Haridwar for the period of 30 years i.e. 01.01.1994 to 2024 up to date & found the property clear, marketable, Leasehold & free from all recorded encumbrances, <u>except the present charge by way of Equitable Mortgage in favour of State Bank of India</u>
30.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Latest lease rent receipt to be obtained
31.	(a) Urban land ceiling clearance, whether required and if so, details thereon. (b) Whether No Objection Certificate under the Income Tax Act is required/ obtained?	Urban Land Ceiling act is not applicable in the state of Uttarakhand. No-objection Certificate under the Income Tax Act is not required.
32.	(a) Details of RTC extracts/mutation extracts/ Khata extracts pertaining to the property in question. (b) Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	N.A., as the property in question is an Industrial property situated at Sector-5, IIE, SIDCUL, Haridwar Tehsil & Distt Haridwar. N.A., as the property in question is an Industrial property situated at Sector-5, IIE, SIDCUL, Haridwar Tehsil & Distt Haridwar.
33.	(a) Whether the property offered as security is clearly demarcated? (b) Whether the demarcation/ partition of the property is legally valid? (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 Yes Yes
34.	(a) Whether the property can be identified from the following documents	Yes.

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No.	(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.	Electricity Bill Water Connection document Tax Registration Date
	(b) Discrepancy/doubtful circumstances, if any revealed on such scrutiny?	Yes. No.
35.	(a) Whether the documents i.e., Valuation report/approved sanction plan reflect/indicate any difference/discrepancy in the boundaries in relation to the Title Document/other document. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on receipt of the same).	Valuation report / approved/ sanctioned plans are to be submitted to the bank.
36.	(a) Whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?	Yes
	(b) Property is SARFAESI compliant (Y/N)	Yes
37.	a Whether original title deeds are available for creation of equitable mortgage	Original title deeds are presently mortgaged by way of Equitable Mortgage in favour of State Bank of India
	b 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.
38.	Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	Spot inspection & Identity of persons executing documents in favor of Bank is recommended to be verified.
39.	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	Authorized Signatory of M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.

Annexure - C:

Certificate of Title

I have examined the Original Title Deed/Document already deposited relating to the schedule property and offered as security by way of **Equitable Mortgage** and that the documents of title referred to in the Opinion are valid evidence of Right, title and Interest and that the said Equitable Mortgage is already created, it will satisfy the requirements of creation 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). I do not find anything adverse which would prevent the Title Holders from creating a valid 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.

4. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, 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.

5. There are prior Mortgage/ Charges/ encumbrances whatsoever as could be seen from the Encumbrance Certificate for the period from **01.01.1994 to 2024** up to date & found the property clear, marketable Leasehold & free from all recorded encumbrances, **except the present charge by way of Equitable Mortgage in favour of State Bank of India.**

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.

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7. Minor/(s) and his/ their interest in the property is to the extent of _____ (Specify the share of the Minor
No. ...with Name):, Date: N.A.

8. The Mortgage is already created, will be available to the Bank for the liability of the present borrower M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.

9. I certify that M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar has got a clear and marketable leasehold title over the Schedule property, except the present charge by way of Equitable Mortgage in favour of State Bank of India.

I further certify that the above title deeds are genuine and a valid mortgage is already created 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 following title deeds/ documents would create a valid and enforceable mortgage:

1. Copy of Allotment Letter issued by State Infrastructure & Industrial Development Corporation of Uttarakhand Limited (SIDCUL).
2. Copy of Possession Certificate issued by State Infrastructure & Industrial Development Corporation of Uttarakhand Limited (SIDCUL).
3. Original registered lease deed dated 02.05.2006 registered in bahi no. 1 zild 1190/1762 pages 287/1-62 serial no. 4644/4645 dated 02.05.2006 in the office of Sub- registrar Haridwar, executed by State Industrial Development Corporation of Uttaranchal Limited (SIDCUL), a company within the meaning of the Companies Act 1956, and having its registered office at SBI Building Secretariat Dehradun & Head Office at 2, New Cantt. Road Dehradun in favor of present title holder M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.
4. Copy of Permission to mortgage issued by State Infrastructure & Industrial Development Corporation of Uttarakhand Limited (SIDCUL).
5. Affidavit of sole proprietor of M/s U.S. Metals & Products, Plot no. 78, 79, Sector-5, IIE, SIDCUL, Haridwar Tehsil & District Haridwar.
6. 0.5 % stamp duty of loan amount with maximum of Rs. 10,000/- only applicable in the state of Uttarakhand.

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

It is certified that the property is SARFAESI compliant.

SCHEDULE OF THE PROPERTY

An Industrial property having plot of land bearing Industrial Plot no. 78, having total plot area of 900 square meter, bounded in East- Plot no. 77, West- Plot no. 79, North- 5/F5 & South- Road 18 meter wide, situated at Sector-5, IIE SIDCUL Haridwar Tehsil & Distt Haridwar.

Place: Haridwar

Date: 24.06.2024

Signature of The Advocate

