RAKESH KUMAR SAXENA
B.Com. L.L.B.
ADVOCATE & NOTARY
STD: 07184
(O):252352
M.No.9422130067
NEAR BUS STAND, MAIN ROAD, BHANDARA – 441 904.

TITLE INVESTIGATION REPORT (TIR)

1	a) Name of the Branch/Business Unit/ Office Seeking Opinion	**State Bank of India, Main Branch Bhandara**
	b) Reference No. and date of the letter under the cover of which documents tendered for scrutiny are forwarded	--
	c) Name of Borrower	**Virendra s/o. Kamdeo Singh** R/o. Takiya Ward, Bhandara
2	a) Name of the Unit/Concern/Company/Person offering the property/ies as security	**Virendra s/o. Kamdeo Singh** is offering the property as security
	b) Constitution of the unit/Concern/Person/ Body/ Authority offering property for creation of charge.	**Virendra s/o. Kamdeo Singh** is offering property for creation of charge.
	c) Sate as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor)	**As applicant or Borrower**
3	Complete or full description of immovable property/ies offered as security including following details	
	a) Survey No.	**Plot No. 1 out of Gat No. 444/1/2**
	b) Door/House No. (in case of house property)	---
	c) Extent area including plinth/builtup area in case of house property	**1942.25sqmtr**
	d) Locations like name of the place, village, city, registration, sub-district etc.	**Shahapur, P.C. No. 6, Tah. & Distt. Bhandara.**
	Boundaries of	**Plot No. 1**
	East By	9mtr wide Road
	West By	Survey No. 445 of Shri. Karemore
	North By	12mtr Service Road and then N.H. No. 6
	South By	9mtr Road

4 a) Particulars of the documents scrutinised-serially and chronologically.

Sr. 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.	10/02/2016	Search Receipt No. 967 of Sub Registrar, Bhandara	Original	---
2.	08/02/2016	Gaon Namuna 7, 7-A & 12	Certified Copy	Original was scrutinized.
3.	03/9/2014	Sale-deed, Document No. 3659/2014 Sub Registrar, Bhandara	Original	---
4.	07/9/2015	N.A. Order	Xerox	Original was scrutinized.
5.	21/11/2015	Grampanchayat Permission Letter	Original	---
6.	07/11/2015	Approved Building Plan	Original	---

5	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 alongwith the TIR)	**Copies are verified from originals in the office of Sub Registrar, Bhandara.**
6	a) Whether record of registrar office or revenue authorities to the property in question are available for verification through any online portal or computer system ?	**YES, record of registrar office or revenue authorities to the property in question are available for verification through any online portal or computer system.**

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	b) If such online/Computer records are available, whether any verification or cross checking are made and the comments /findings in this regard.	YES, cross check is made in the office of Sub Registrar and Talathi
	c) Whether genuineness of the stamp paper is possible to be got verified from any online portal and if so whether such verification was made ?	NO, such verification was made.
7.	a) Property offered as Security falls within the jurisdiction of which Sub-registrar office ?	Sub Registrar, Bhandara
	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 of all such offices?	NO, there is no registration of documents in respect of the property in question at more than one office of sub-registrar or with any office.
	c) Whether searches has been made at all the offices named at (b) above ?	YES, searches has been made at all the offices named above.
	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, any record reveals registration of multiple title documents in respect of property in question.
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 a further period, depending on the need for clearance of such clog on the title.	
	It is certified that, the land **bearing Gat No. 444/1 having area 0.68HR situated at Shahapur, P.C. No. 6, Tah. & Distt. Bhandara** was originally owned by Shri. Arun s/o. Sadashiv Karemore, which is his ancestral property. He sold the same to the present owner/intending borrower **Virendra s/o. Kamdeo Singh by Regd. Sale-deed dtd. 03/9/2014, vide Document No. 3679/2014** and accordingly, name of the present owner/intending borrower **Sunil Ukey** is mutated in the Revenue record, vide **Mutation Entry No. 1956 dtd. 15/9/2015** and he is in peaceful possession of the property in question. It is further certified that, the present owner/intending **Virendra Singh** has converted said land for Non-agriculture purpose, vide Case No. 4/NAP-34/2015-16 order passed by Sub Divisional Officer, Bhandara on 07/9/2015 and prepared four plots therein. It is further certified that, the present owner/intending borrower is intending to construct a building on **Plot No. 1 having area 1942.25sqmtr** for which, he has already got permission from Grampanchayat Shahapur, vide **Permission No. 235/2015 dtd. 21/11/2015** and also approved building plan. The plot No. 1 is now bearing new **Gat No. 444/1/2.**	
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.	The title of intending Mortgagor over the property is Full ownership Rights.
10	If Leasehold, whether	
	a) Lease-Deed is duly stamped and registered	NOT APPLICABLE in this matter
	b) Leessee is permitted to mortgage the Leasehold right,	NOT APPLICABLE in this matter
	c) Duration of the Lease/unexpired period of lease,	NOT APPLICABLE in this matter
	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.	NOT APPLICABLE in this matter
	e) Whether the Leasehold rights permits for the creation of any superstructure (if applicable) ?	NOT APPLICABLE in this matter
	f) Right to get renewal of the Leasehold rights and nature thereof,	NOT APPLICABLE in this matter
11	If Govt. grant/Allotment/Lease-cum/Sale Agreement Whether	
	Grant/Agreement etc. provides for alienable rights to the mortgagor with or without conditions,	NOT APPLICABLE in this matter
	The mortgagor is competent to create charge on such property	NOT APPLICABLE in this matter
	Whether any permission from Govt. or any other Authority is required for creation of mortgage and if so whether such valid permission is available.	NOT APPLICABLE in this matter
12	If occupancy right, whether	

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	a) Such right is heritable and transferable	NOT APPLICABLE in this matter
	b) Mortgage can be treated.	NOT APPLICABLE in this matter
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.	NOT APPLICABLE in this matter
14	If the property has been transferred by way of Gift/ Settlement Deed, whether	
	a) The Gift/Settlement Deed is duly stamped and registered	NOT APPLICABLE in this matter
	b) The Gift/Settlement Deed has been attested by two witnesses	NOT APPLICABLE in this matter
	c) The Gift/Settlement Deed transfers the property to Donee	NOT APPLICABLE in this matter
	d) Whether the Donee has accepted gift by signing Gift/ Settlement Deed or by a separated writing or by implication or by actions.	NOT APPLICABLE in this matter
	e) Whether there is any restriction on the Donor in executing the Gift/Settlement Deed in question.	NOT APPLICABLE in this matter
	f) Whether the Donee is in possession of the gifted property.	NOT APPLICABLE in this matter
	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.	NOT APPLICABLE in this matter
	h) Any other aspect affecting the validity of the title passed through the Gift/Settlement Deed.	NOT APPLICABLE in this matter
15	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.	NOT APPLICABLE in this matter
	b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	NOT APPLICABLE in this matter
	c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.	NOT APPLICABLE in this matter
	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.	NOT APPLICABLE in this matter
	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 mortgage ?	NOT APPLICABLE in this matter
16	Whether the title documents include any testamentary documents/wills ?	
	a) In case of wills, whether will is registered will or unregistered will ?	NOT APPLICABLE in this matter
	b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a Competent Court.	NOT APPLICABLE in this matter
	c) Whether the property is mutated on the basis of will ?	NOT APPLICABLE in this matter
	d) Whether the original will is available ?	NOT APPLICABLE in this matter
	e) Whether the original Death Certificate of the testor is available ?	NOT APPLICABLE in this matter
	f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testor ?	NOT APPLICABLE in this matter
17.	a) Whether the property is subject to any WAKF Right ?	NOT APPLICABLE in this matter
	b) Whether the property belongs to Church/Temple or any religious/other institutions having any restriction in creation of charges on such properties ?	NOT APPLICABLE in this matter
	c) Precautions/permissions, if any in respect of the above cases for creation of mortgages ?	NOT APPLICABLE in this matter
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.	NOT APPLICABLE in this matter
	b) Please also comment on any other aspect which may adversely affect the validity of security in such cases ?	NOT APPLICABLE in this matter
19.	a) Whether property belongs to any trust or is subject to rights of any trust ?	NOT APPLICABLE in this matter
	b) Whether the trust is a private or public trust and whether trust deed specifically authorises mortgage of the property ?	NOT APPLICABLE in this matter
	c) If so additional precautions/permissions to be obtained for creation of valid mortgage ?	NOT APPLICABLE in this matter
	d) Requirements, if any for creation of mortgage as per central/state laws applicable to the trust in the matter.	NOT APPLICABLE in this matter

20	a) If the property is Agriculture Land, whether the local laws permit mortgage of Agriculture land and whether there are any restrictions for creation/enforcement of mortgage?	NOT APPLICABLE in this matter
	b) In case of agriculture property other relevant records/ documents as per local laws, if any are to be verified to ensure the validity of title and right to enforce the mortgage?	NOT APPLICABLE in this matter
	c) In case of conversion of Agriculture Land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained ?	Yes, it is already converted for N.A. Purpose by the order of Sub Divisional Officer, Bhandara on 07/9/2015.
21.	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz Agriculture Laws, weaker section, minorities, Land Laws, SEZ Regulations, Costal Zone Regulations, Environmental Clearance etc.)	NOT APPLICABLE in this matter
22.	a) Whether the property is subject to any pending or proposed Land Acquisition Proceedings ?.	NOT APPLICABLE in this matter
	b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/ enquiry ?	NOT APPLICABLE in this matter
23.	a) Whether the property is involved in or subject matter of any litigation which is pending or concluded ?	NOT APPLICABLE in this matter
	b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement ?	NOT APPLICABLE in this matter
	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.	NOT APPLICABLE in this matter
24.	a) In case of Partnership Firm, whether the property belongs to the Firm and the deed is properly registered?	NOT APPLICABLE in this matter
	b) Property belonging to partners, whether thrown on hotchpot ? Whether formalities for the same have been completed as per applicable laws ?	NOT APPLICABLE in this matter
	c) Whether the person creating mortgage has authority to create mortgage for and on behalf of the Firm ?	NOT APPLICABLE in this matter
25.	Whether the property belongs to a Limited Company, check the Borrowing Powers, Board Resolution, Authorisation to create mortgage/ execution of documents, Registration of any prior charges with the Company Register (ROC), Articles of Association/ Provision for common seal etc.	NOT APPLICABLE in this matter
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.	NOT APPLICABLE in this matter
27	a) Whether any POA is involved in the chain of title ?	NOT APPLICABLE in this matter
	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 crated an interest in favour of the builder/ developer and as such is irrevocable as per law.	NOT APPLICABLE in this matter
	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/ Authorised Representatives to sign Flat Allotment Letters, NOCs, agreements of Sale, Sale-deeds, etc. in favour of the buyers of the Flat/Units (Builder's POA) of (ii) other type of POA (Common POA)	NOT APPLICABLE in this matter
	d) In case of Builder's POA, whether a certified copy of POA is available and same has been verified/ compared with original POA	NOT APPLICABLE in this matter
	e) In case of Common POA (i.e. POA other than Builder's POA) please clarify the following clauses of POA	
	i. Whether the original POA is verified and the title investigation is done on the basis of original POA ?	NOT APPLICABLE in this matter
	ii. Whether the POA is a special or general one ?	NOT APPLICABLE in this matter
	iii. Whether the POA is a registered one ?	NOT APPLICABLE in this matter
	iv. Whether the POA contains a specific authority for execution of title documents in question ?	NOT APPLICABLE in this matter

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	f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question ? (Please clarify whether the same has been ascertained from the office of sub-registrar also ?	NOT APPLICABLE in this matter
	g) Please comment on the genuineness of POA ?	NOT APPLICABLE in this matter
	h) The unequivocal opinion on enforceability and validity of POA ?	NOT APPLICABLE in this matter
28.	Whether mortgage is being created by the 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.	NOT APPLICABLE in this matter
29.	If the property is a Flat/Apartment or residential/ Commercial Complex, check and comment on the following	
	a) Promoter's/Land Owner's title to the land/building	NOT APPLICABLE in this matter
	b) Development Agreement/Power of Attorney	NOT APPLICABLE in this matter
	c) Extent of authority of the Developer/Builder	NOT APPLICABLE in this matter
	d) Independent title verification of the land and/or building in question	Yes, independent title verification of land in question is made
	e) Agreement for sale (duly registered)	NOT APPLICABLE in this matter
	f) Payment of proper stamp duty	NOT APPLICABLE in this matter
	g) Requirement of registration of sale agreement, development agreement, POA etc.	NOT APPLICABLE in this matter
	h) Approval of building plan, permission of appropriate/ local authority etc.	Permission is already granted by Grampanchayat Shahapur and approved building plan.
	i) Conveyance in favour of Society/Condominium concerned.	NOT APPLICABLE in this matter
	j) Occupancy Certificate/Allottment letter/letter of possession	NOT APPLICABLE in this matter
	k) Membership details in the Society etc.	NOT APPLICABLE in this matter
	l) Share Certificate	NOT APPLICABLE in this matter
	m) No Objection Letter from the Society ?	NOT APPLICABLE in this matter
	n) All legal requirement under the local/Municipal laws, regarding ownership of Flats/Apartments/Building Regulations, Developments Control Regulations, Co-op. Societies, Laws etc.	NOT APPLICABLE in this matter
	o) Requirement, for noting the Bank charges on the records of the Housing Society, if any.	NOT APPLICABLE in this matter
	p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any.	NOT APPLICABLE in this matter
	q) Whether the numbering pattern of the Units/Flats Tally in all documents such as approved plan, agreement plan, etc.	NOT APPLICABLE in this matter
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.	NOT APPLICABLE in this matter
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.	NOT APPLICABLE in this matter
31	The period covered under the Encumbrances Certificate and name of the person in whose favour the encumbrance is created and if so, satisfaction of charge if any ?.	NOT APPLICABLE in this matter
32.	Details regarding Property Tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy ?	Taxes are paid regularly.
33.	a) Under Land Ceiling Clearance, whether required and if so, details thereof.	NOT APPLICABLE in this matter
	b) Whether No Objection Certificate under the Income Tax Act is required/obtained ?	NOT APPLICABLE in this matter
34.	Details of RTC extracts/mutation extracts/Katha Extracts pertaining to the property in question.	NOT APPLICABLE in this matter
35.	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village Record ?	YES, it is duly mutated in the Revenue Record
36.	a) Whether the property offered as security is clearly demarcated ?	YES, the property is clearly demarcated.
	b) Whether the demarcation/partition of the property is legally valid ?	YES, demarcation is legally valid.
	c) Whether the property has clear access as per documents ?	YES, property has clear access.



37.	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	NOT APPLICABLE in this matter
	b) Document in relation to water connection.	NOT APPLICABLE in this matter
	c) Document in relation to Sales Tax Registration, if any applicable.	NOT APPLICABLE in this matter
	d) Other utility bills, if any.	NOT APPLICABLE in this matter
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 a valuation report, utility bills etc.) or the actual current boundary ? If so, please elaborate/ comment on the same.	No, there is no any difference/ discrepancy in any of the title documents.
39	If the valuation report and/or approved/sanctioned plans are made available, please comment on the same including the comment on the description and boundaries of the property on the said document and that in the title-deeds.	Valuation Report is not produced. Ask present owners to submit the same in Bank.
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, there is no bar/restriction for creation of mortgage.
41	Whether the Bank will be able to enforce SARFESI Act, if required against the property offered as security?	YES, Bank will be able to enforce SARFESI Act.
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.	NOT APPLICABLE because original title-deeds are already available.
43	Whether the governing law/constitutional documents of the mortgagor permit creation of mortgage and additional pre-cautions, if any to be taken in such case.	YES
44	Additional aspects relevant for investigation of title as per local laws.	The property in question is free from all type of chain, lien, encumbrances and mortgages and hence, we can mortgage the same with our Bank for the security of loan.
45	Additional suggestions, if any to safeguard the interest of Bank/ensuring the perfection of security.	Ask the intending borrower to submit all original documents in Bank for creation of charge thereon.
46	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	Virendra s/o. Kamdeo Singh

Bhandara

Dated 12/02/2016

Yours Thankfully,

(Adv Rakesh Saxena)

R. K. Saxena

Advocate

Opp Bus Stand

BHANDARA-441904

CERTIFICATE OF TITLE

Annexure-C

I have examined the Original Title Deeds intended to be deposited relating, to the schedule property/ies and offered as security by way of **Equitable Mortgage/by way of creating charge in the revenue record** and that the documents of title referred to in the Opinion are valid evidence of Right title and interest and that, if the said **Equitable Mortgage/charge is created in the revenue record**, it will satisfy the requirements of creation of **Equitable Mortgage** or **creation of charge** in the **revenue** record and I further certify that: -

2. I have examined the Documents in detail, taking into account all the documents detail 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, Revenue Records, Municipal/ Grampanchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board. 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 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 encumbrances 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 no prior Mortgage/Charges/encumbrances whatsoever, as could be seen from the Encumbrances Certificate for the period from **1987-2016** pertaining to the immovable property/ies covered by above said Title Deeds. The property is free from all 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 Bank.
7. **There is no interest of minor persons.**
8. The Mortgage if created will be available to the Bank for the liability of the Intending Borrower **Virendra s/o. Kamdeo Singh.**
9. I certify that Borrower **Virendra s/o. Kamdeo Singh** has got valid, clear and marketable title over the schedule property after execution of title-deeds in their favour. I further certify that, the above title deeds are genuine and a valid mortgage can be 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 title deeds/ documents mentioned in para No. 4 of said Search Report would create a valid and enforceable mortgage.

Sr. No.	Date	Name/Nature of the document	Original/ Certified Copy/ Certified Extract/ Photocopy etc.
1.	10/02/2016	Search Receipt No. 967 of Sub Registrar, Bhandara	Original
2.	08/02/2016	Gaon Namuna 7, 7-A & 12	Certified Copy
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4.	07/9/2015	N.A. Order	Xerox
5.	21/11/2015	Grampanchayat Permission Letter	Original
6.	07/11/2015	Approved Building Plan	Original

12. There are no legal impediments for creation of the mortgage under any applicable law/rules in force.

SCHEDULE OF PROPERTY/IES

Village	Tahsil & Distt.	Gat No. /Plot No.	Area HR /	Land Rev. Rs. NP	Right	Khata No.
Owner **Virendra s/o. Kamdeo Singh**						
Shahapur P.C. No. 6	Tah. & Distt. Bhandara	444/1/2 Plot No. 1	1942.25 Sqmtr	194.00	N.A.	==

BHANDARA

DATE : 12/02/2016

(Adv R. K. Saxena)

R. K. Saxena

Advocate

Opp Bus Stand

BHANDARA-441904