

Draft format of confirmation to be obtained from NRI borrower/guarantor confirming the execution of loan/guarantee documents by their POA holder or confirming the deposit of title deeds by their POA holder

ANNEXURE -I

"To, State Bank of India

1. * I / We (1) _____, (2) _____, hereby confirm that my / our Power of Attorney-holder, Shri _____ has executed the following documents for and on my/ our behalf in connection with the Home Loan sanctioned / to be sanctioned to me / us, which are binding and enforceable against me / us.

'List of Documents'

1. _____
2. _____
3. _____

2.* "I/We hereby also confirm that our Power of Attorney holder namely Shri..... has deposited the original title deeds in respect of the property, for acquisition of which I / We have availed loan from the Bank, with an intention to create security over the said property by way of mortgage by deposit of title deeds on(specify date on which title deeds are deposited by the Power of Attorney holder).

(Signature)

Borrower / Guarantor

Place:

Date:

*strike out whichever is not applicable

Draft format of the covering letter to be sent by the NRI borrower/guarantor along with the original title deeds for creation of equitable mortgage in India without having to visit to India

ANNEXURE-II

The Branch Manager State

Bank of India

Dear Sir,

HOME LOAN OF Rs. _____ SANCTIONED

IN FAVOUR OF SHRI _____

I/we are forwarding herewith the original title deeds more particularly detailed in Schedule I hereunder written in respect of the property detailed in the Schedule II hereunder written to be held by the Bank as and by way of security of mortgage by deposit of title deeds for repayment of the Home Loan of Rs. _____ together with interest, costs, charges and expenses payable by me/us.

2. The title deeds forwarded herewith are the only title deeds in respect of the Schedule II property. The delivery of the title deeds shall be complete only when you actually receive the title deeds with this letter * which is in my/our possession/* which is in possession of Shri _____. I/we confirm that there are no pending claims, attachments, orders of any nature whatsoever in respect of the property described in Schedule II hereunder written and that it is free from all encumbrances whatsoever.

SCHEDULE I

(Details of the Title Deeds)

SCHEDULE II

(Detailed description of the property)

Signature of the borrower(s)) Place: _____ Date: _____

* Delete if not applicable

Draft format of the acknowledgement to be sent by the RACPC to the NRI Borrower / Guarantor immediately after the receipt of the original Title Deeds for creation of Equitable Mortgage

ANNEXURE'III'

Shri _____

(Name and address of the NRI to
Whom the housing loan is sanctioned)

Dear Sir,

HOUSING LOAN OF Rs. _____

IN FAVOUR OF SHRI / SMT. _____ AND SHRI /SMT. _____

We acknowledge receipt of your letter dated _____, together with the title deeds, as detailed hereunder , as and by way of creation of mortgage by deposit of title deeds in favour of the Bank to secure the loan granted to you.

List of Title Deeds

Yours faithfully,

Branch Manager/ Authorised Officer

I acknowledge this letter and confirm that I have deposited the Title Deeds by way of Security under the cover of my letter dated _____

(Borrower / Guarantor)

Place: _____

Date: _____

Draft format of the Power of Attorney to be executed by the borrower/guarantor authorising the Power of Attorney holder to execute the loan/guarantee documents or to create equitable mortgage

ANNEXURE - IV

[To be stamped as a Power of Attorney as per applicable State Stamp Act, within three months from the date on which it is received in India]

POWER OF ATTORNEY

To All to Whom These Presents shall come, I/We 1.,.....2..[give full name & address of NRI borrower(s).Where there are more than one borrower, all the names & address should be given]

WHEREAS State Bank of India,.....Branch/RACPC (hereinafter referred to as SBI) granted/ agreed to grant Home Loan to the tune of Rs...../for purchase/acquisition of the property more particularly described in the Schedule hereunder written (hereinafter referred to as the Scheduled property) to me/us vide Sanction Letter No.....dated.....

AND WHEREAS to avail the Home Loan I/We are required to execute the necessary documents and also create a security by way of mortgage by deposit of title deeds, for the aforesaid Home Loan,

AND WHEREAS I / We are not in a position to expeditiously execute the documents and create security in favour of SBI and are therefore desirous of appointing some fit & proper person to act on my/our behalf and to do all necessary acts and things in connection with the aforesaid.

NOW KNOW YE ALL AND THESE PRESENTS WITNESSETH THAT I / We do hereby nominate, constitute and appoint Shri.....(Give full name & address of the attorney....), whose photograph is pasted below, to be my/our lawful and true Attorney for the purposes hereinafter expressed i.e. to say To execute all the necessary

agreements, deeds, documents in connection with the above referred Home Loan in favour of SBI in my/our name and for and on our behalf in such form as SBI may require and lodge the documents with appropriate Statutory/ Administrative or other authorities where ever necessary.

- To appoint Advocates, Solicitors in connection with the above and pay their remuneration.
- To deposit the original title deeds with respect to the Scheduled property to SBI with an intention to create security thereon as and by way of mortgage by deposit of title deeds and also to make a statement to the above effect while delivering the title deeds for and on my/our behalf and subsequently confirm such deposit of title deeds to SBI.
- To apply for, appear and obtain necessary clearance and /or permission from the concerned authorities concerning the Scheduled property, in connection with the above referred Home Loan and submit the same to the Bank where ever necessary.
- To do all the necessary things and acts in connection with and/or incidental to the above stated matters which my/our Attorney deems fit and necessary to do to effectuate the aforesaid.

Please paste the Photograph of the Power of Attorney here.

AND I/ We, the above named..... (State the name(s) of the borrowers) do hereby undertake to ratify whatever the Attorney may lawfully do or cause to be done in and by virtue of these presents.

SCHEDULE (Give detailed description of the property)

IN WITNESS WHEREOF, I/We, the above named have hereunto set my/our respective hands on this.....day of.....

Signed, sealed by the within named

Signature(s) 1..... 2.....

Before Me

Notary Public/Magistrate.

Note: The photograph of the Power of Attorney holder needs to be attested by the executant of the Power of Attorney.

Draft format of the Recital to be recorded at the RACPC for creation of Equitable Mortgage by the POA holder

ANNEXURE-V

MEMORANDUM OF DEPOSIT OF TITLE DEEDS

Shri._____ residing at _____, the authorized representative /POA holders of Shri _____ (name and address of the NRI to be mentioned) visited the branch on _____ and deposited with the undersigned the title deeds more particularly detailed in Schedule I hereunder written, in respect of the property , more particularly detailed in the Schedule I hereunder written , in respect of the property , more particularly detailed in the Schedule II hereunder written. While depositing the title deeds Shri._____ (Name of the POA holder) stated that he is depositing the title deeds with an intention to create security over the property described in Schedule II hereunder written, for repayment of the loan of Rs. _____ lakhs together with interest , costs, charges , expenses etc. granted by the Bank to Shri._____ (name of the NRI to be mentioned).

2. While depositing the title deeds as above, Shri. _____ (name of the POA holder) stated that he has been authorized to state that the title deeds deposited by him are the only title deeds in respect of the property detailed in the Schedule II hereunder written and that there are no pending claims, attachment of any nature whatsoever in respect of the property described in the Schedule II hereunder written . He also stated that he has been authorized to state that the property described in the Schedule II hereunder written is in actual possession of Shri _____ and free from all encumbrances whatsoever.

SCHEDULE I

(Details of the Title Deeds)

SCHEDULE II

(Detailed description of the property)

Recorded in my presence

- (1)
- (2)

(Name & designation of the Officers)

Signature

(Branch Manager/ authorized Official)