

GIFT DEED (FORMAT)

_____, son of _____, by faith Hindu, by Nationality Indian, by occupation – _____, residing at _____. (Donor includes successors-in-interest and assigns).

AND

_____, son of _____, by faith Hindu, by Nationality Indian, by occupation – _____, residing at _____. (Donee, includes successors-in-interest and assigns).

Now this Deed of gift witnesses as follows-

1.

Subject matter of the gift

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THE SUBJECT LAND: ALL THAT piece or parcel of land hereditaments and premises measuring _____ on ALL THAT piece or parcel of land hereditaments and premises measuring _____ be the same a little more or less out of the total land _____ situate and lying at and being Municipal Holding No. _____, Ward No. _____, within the limit of _____ Municipality and having Postal Address _____.

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The Structure: _____ storied brick built dwelling _____ (house/flat/building), having built up area of _____ Square feet, be the same a little more or less, standing on the Subject Land (The Structure).

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Other Rights: Easements and all other rights, liberties, privileges, and benefits appurtenant to the Subject Land and The Structure and all equipment, installations, fittings, fixtures, etc. in or about The Structure.

2.

BACKGROUND:

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Description of the Title: Chain of title is to be described in detail here.

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Sale to Donor: By a Deed of Sale dated _____, registered in the Office of the Sub-Registrar, _____, in Book No. I, Volume No. _____, Pages __ to __, Being No. _____ for the year _____ (Said Deed), said _____ (Name of the previous owner) sold the aforesaid plot of land measuring about _____ more or less comprised in Dag No. _____ as aforesaid to the Donor hereto.

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Ownership of the Donor: In the circumstances, the Donor hereto became the sole and absolute owner of ALL THAT piece or parcel of land measuring _____ be the same a little more or less including the common passage situate and lying at _____ and comprised in _____.

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Construction by the Donor: Subsequently, the Donor constructed a _____ storied brick built dwelling (house/flat/building) on his acquired property as aforesaid in accordance with the building plan duly sanctioned by the appropriate authority.

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Said Property: Thus the Donor has become the sole and absolute owner in respect of the land and the structure as referred above (Said Property). The Subject Property is the part and portion of the Said Property.

3.

Representations and Warranties of the Donor:

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Absolute Ownership: The Donor is the absolute owner of the Subject Property.

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Right, Power and Authority to Sell: The Donor has good right, full power, absolute authority and indefeasible title to gift and/or alienate the Subject Property.

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Free from Encumbrances: The Subject Property is free from all claims, demands, encumbrances, mortgages, charges, liens, attachments, lis pendens, uses, debutters, trusts, prohibitions, Income Tax Attachment, Financial Institution Charges and liabilities whatsoever or howsoever made or suffered by the Donor or any person claiming through the Donor and the title of the Donor to the Subject Property is free, clear and marketable.

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No Prejudicial Act by the Donor: The Donor has not at any time done or executed or knowingly suffered or been party or privy to any act, deed, matter or thing whereby the Subject Property or any part thereof can or may be impeached, encumbered or affected in title.

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No Personal Guarantee: The Subject Property is not affected by or subject to any personal guarantee for securing any financial accommodation.

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No Bar by Court Order: There is no order of the Court or any other statutory authority prohibiting the Donor from transferring and/or alienating the Subject Property or any part thereof.

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Basic Understanding: The Donee is the _____(relationship) of the Donor and the Donor bears natural love and affection for the Donee. The Donor has expressed his desire of gifting the Subject Property in favour of the Donee and the Donee has agreed to accept such gift.

4.

Terms of Gift

- **Salient terms:** The gift of the Subject Property being affected by this Deed is:

1.

Gift: A gift within the meaning of the Transfer of Property Act, 1882.

2.

Absolute: Absolute, irreversible and forever.

3.

Free from Encumbrances: Free from all encumbrances of any and every nature whatsoever including but not limited to lis pendens, attachments, liens,

charges, mortgages, trusts, debutters, reversionary rights, residuary rights, claims and statutory prohibitions.

4.

Other Rights: Together with Easements and all other rights, liberties, privileges and benefits appurtenant to the Subject Property.

5.

Miscellaneous

- **Delivery of Possession:** Simultaneously with the execution of these presents khas, vacant and peaceful possession of the Subject Property is handed over by the Donor to the Donee on _____(Possession Date).

- **Outgoings:** All Municipal and other taxes, penalties, surcharge, outgoings, liabilities and levies on or relating to the Subject Property till the Possession Date, whether as yet demanded or not, shall be borne, paid and discharged by the Donor and thereafter that shall be borne, paid and discharged by the Donee.
- **Holding Possession:** The Donor hereby covenant that the Donee shall and may, from time to time and at all times hereafter, peacefully and quietly enter into, hold, possess, use and enjoy the Subject Property and every part thereof and receive rents, issues and profits thereof and all other benefits, rights and properties hereby gifted or expressed or intended so to be unto and to the Donee, without any lawful eviction, hindrance, interruption, disturbance, claim or demand whatsoever from or by the Donor or any persons lawfully or equitably claiming any right or estate therein from under or in trust from the Donor.
- **Further Acts:** The Donor hereby covenants that the Donor or any person claiming under him, shall and will from time to time and at all times hereafter, upon every request and at the cost of the Donee and/or successors-in-interest of the Donee, do and execute or cause to be done and executed all such acts, deeds and things for further or more perfectly assuring the title of the Donee to the Subject Property.
- **Production of Said Deed:** As referred hereinbefore, the Said Deed and all other title documents in respect of the Said Property shall be lying with the custody of the Donor and unless prevented by fire or other unavoidable accidents from time to time and at all times hereinafter at like request and cost of the Donee, the Donor or his successors-in-interest will produce or cause to be produced the Said Deed and/or the said documents for reasonable requirement as may be required from time to time.
- **Assessment of Value for the purpose of Advalorem Stamp Duty:** For the computation of stamp duty, the value of the Subject Property is assessed at Rs. _____/- (Rupees _____) only.

Schedule above referred to

(Subject Property)

[Subject Matter of Gift]

Detail of the Subject Property with boundary description

The Plot is shown on the Plan annexed hereto

6.

Execution and Delivery:

1.

In Witness Whereof the Donor has executed and delivered this Deed of Gift on
the day, month and year mentioned above.

(Donor)

I accept the Gift mentioned hereto with pleasure:

(Donee)

Witnesses:

1.

Signature: _____

2.

Name: _____

1.

Signature: _____

2.

Name: _____