

10 points Do's and Don'ts: Legal Aspects to Consider When Buying Property in India: A Comprehensive Guide



DO

1. Verify Title Documents:

- Property's title is clear and the seller has the legal right to sell.



2. Check for Legal Issues:

- Investigate any pending litigation or disputes related to the property.
- Check for any pending property tax due.

3. Verify Building Plans:

- Check that the construction aligns with sanctioned plans, particularly for the number of floors and built-up area.
- Confirm the permitted Floor Area Ratio (FAR) or Floor Space Index (FSI) in the locality.



4. Investigate Charges or Encumbrances:

- Obtain an Encumbrance Certificate (EC) to ensure the property is free from any financial liability, such as loans, mortgages, or liens.



5. Verify Building Material Quality:

- Hire a qualified civil engineer to inspect the property's structural integrity and quality of construction materials (e.g., cement, steel, bricks).
- Research Builder's previous reputation.



6. Verify Utilities and Amenities:

- Check the availability of essential utilities like water, electricity, and drainage systems.
- Visit the property at different times of the day to evaluate traffic, noise, and other environmental factors.

7. Fire Safety Compliance:

- Ensure the building has adequate fire safety measures and proper clearance from fire safety department.

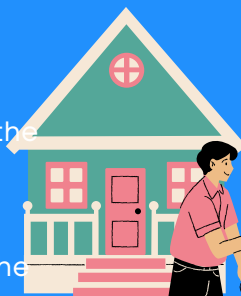


8. Availability of Occupancy Certificate(OC):

- The builder must provide an Occupancy Certificate (OC) from local authorities, confirming the property is fit for use.

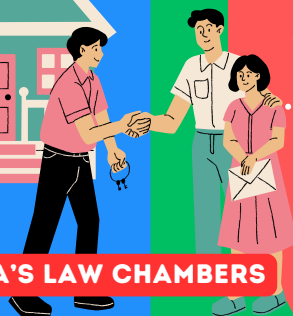
9. Ensure Adequate Parking Space

- Verify if parking space is allotted and included in the property cost. Ensure it complies with local norms.



10. Verify the Sale Agreement:

- Verify if parking space is allotted and included in the property cost. Ensure it complies with local norms.
- Account for GST, stamp duty, and registration charges.



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DON'T

1. Don't Rush the Process:

- Avoid making hasty decisions without thorough due diligence.

2. Don't Neglect Verification of Documents:

- Ensure all property documents are authentic and duly registered.



3. Don't Assume All Properties Are RERA-Compliant:

- Always verify the property's RERA registration status



4. Don't Ignore Tax Implications:

- Be aware of the tax liabilities associated with property purchase

5. Don't Skip the Sale Agreement Review:

- Review clauses on payment terms, possession timelines, and penalties.



6. Don't Ignore Possession Delays:

- Set clear timelines in the agreement and seek penalties for delays.

7. Don't Overlook the Land Use Certificate:

- Ensure the property is designated for residential or commercial purposes as applicable.

8. Don't Ignore Pending Dues:

- Ensure the property is designated for residential or commercial purposes as applicable.

9. Don't Miss Checking Loan Facility:

- Confirm if financial institutions approve the property for loans.



10. Don't Underestimate Environmental Clearance:

- For larger developments, check if the builder has obtained mandatory environmental clearances, especially for projects near sensitive zones,

