



# Buying property in India? *Don't sign anything until these 22 are done.*

Reserve Bank of India (RBI) rules, NRE/NRO funding, RERA (Real Estate Regulatory Authority) due diligence, Power of Attorney for remote registration, stamp duty, TDS (Tax Deducted at Source), post-purchase US reporting (FBAR/FATCA). The full NRI playbook. Tick as you go — saves locally.

## 1 Decide + scout

3-6 MONTHS OUT

- Confirm **Reserve Bank of India (RBI) rules** — NRIs can buy **residential and commercial** property freely. **Cannot** buy agricultural land, plantation, or farmhouses
- Set total budget = property + 8-10% buffer for stamp duty + registration + brokerage + legal
- Plan funding source — **NRE (Non-Resident External) inward remittance**, NRO (Non-Resident Ordinary) from rental income, FCNR FD funds, or Indian-bank home loan
- Scout cities and localities on home trips — never finalise from photos and video walk-throughs alone

## 2 Find + due diligence

2-4 MONTHS OUT

- Verify the property is **RERA-registered** at [rera.\[state\].gov.in](http://rera.[state].gov.in) — under-construction projects are mandatory; resale is exempt but cross-check builder reputation
- Hire a **property lawyer** — typical fee Rs 25,000-1L. Don't reuse the seller's lawyer or builder's lawyer
- Get a **title certificate** with 30+ year title chain — covers all sale deeds, gift deeds, partition deeds, court orders
- Get an **Encumbrance Certificate (EC)** from the sub-registrar — proves no liens, mortgages, or pending litigation
- For ready-possession — verify **Occupancy Certificate (OC) + Completion Certificate (CC)** issued. Without OC the property cannot be legally lived in
- Verify approved building plan, Khata extract, property tax payments up to date

## 3 Money + legal setup

1-2 MONTHS OUT

- Move funding to your NRE / NRO / FCNR account — overseas wires don't transact in INR directly with the seller
- If applying for an NRI home loan — typical 70-80% loan-to-value, 8.5-9.5% interest, processing in 2-3 weeks. SBI, HDFC, ICICI all have NRI desks
- If unable to be present at registration — set up a notarised **Power of Attorney (POA)**, attested at the Indian consulate in your country. Specific POA (not General) is preferred
- Adjudicate the POA — pay stamp duty in India (typically Rs 500-1,000) within 3 months of consular attestation, else it expires

## 4 Sign + register

CLOSING

- Sign the **sale deed** in person or via POA. Get all pages initialled and signed by both parties + 2 witnesses
- Pay stamp duty — **5–7% of agreement value**, varies by state (Mumbai 6%, Bangalore 5%, Delhi 6%)
- Pay registration fee — typically **1% of agreement value**, capped in some states
- Register at the sub-registrar — biometrics, photo, deed registration. Get the registered original within 2 weeks
- Take possession after registration. Get keys, Khata transfer initiated, society NOC (No Objection Certificate)

## 5 Post-purchase compliance

FIRST 90 DAYS

- Deduct **1% TDS (Tax Deducted at Source)** from each instalment if property > Rs 50 lakh — file **Form 26QB** within 30 days of payment
- If buying from an NRI seller — Buyer must deduct TDS at source under **Section 195** (post-July 2024: **12.5% LTCG / 20% STCG** on the sale value)
- Update Khata transfer + property tax rolls in your name at the municipal corporation
- For US persons — report on **FBAR (FinCEN 114)** if total foreign financial accounts > \$10K, and **FATCA Form 8938** if foreign financial assets > \$50K (single) / \$100K (joint)
- Update your **will** to include the new Indian property + name nominees with the housing society
- If renting out — open NRO account for rental income, deduct TDS at source per Section 195

### 📧 GENTLE REMINDERS

## Want a nudge before the big moments?

A short, low-frequency email when something on your list is worth thinking about — birthday gift, anniversary flowers, FX dip before a trip, tax-filing window, festival shipping cut-offs. No spam, unsubscribe in one click.

your email

Birthday (optional)

mm/dd/yyyy



Anniversary (optional)

mm/dd/yyyy



Remind me about

- Birthday + anniversary gifts
- FX dips before trips home
- Annual trip planning

- Festival shipping cut-offs
- Tax filing windows (US + India)
- Paperwork (OCI, passport, FBAR)

Send me reminders

## NRI Money Matters

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### MONEY

- FX Compare
- FX Cost Index
- Banking
- Credit Cards
- Insurance
- Send Money
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- GIFT City

### LIFESTYLE

- The NRI Guy
- Travel
- Weddings
- Send Gifts
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- Live Opportunities
- Property
- Stocks & MFs
- Startups
- ★ Startup Scorecard
- All Investing

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