



A DOZEN DIRTY DEVILS

Keep them in mind before you make your life's biggest investment.

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Dream house or hell with a doorbell? The difference could be in the nitty-gritty, the small print, the bad photocopies of faded documents, the tiresome paper pile-ups. Spend time on this—as much time as it takes for you to say with a clear conscience that you've understood what's going on. Otherwise, you could spend ages in seedy courtrooms, trying to establish your rights.

What follows is boring stuff, but you want to own the roof over your head, right? So, all first-time purchasers of property, before you go on and make your largest investment, prepare yourself for the evil effects of these 12 devils.

AGREEMENT The agreement, is the basic document for buying property, and must comply with the law in your state. For example, in Maharashtra, an apartment purchase agreement needs to abide by the Maharashtra Apartment Ownership Act, which lays down the fundamental clauses

to protect you. The preamble to the agreement contains the history of the title to the property: the original owner and the present one, claims made on it, and so on. By law, this data should go back at least 40 years. Don't panic if the property you're considering is not in the name of the builder. Check if he has a clear right to develop and sell the flats built on it. The history of the property tells you whether the seller has the right to sell it.

But there are many papers that need to be attached to any agreement. Insist on these; they are crucial to protecting your rights in the years to come.

PROPERTY CARD This spells out the actual owner's name and all encumbrances on the property. It is issued by the collector of the district who is the final authority on the title to the property. This is the basic document on the right to the property. All claims on it, recognised by the government, are highlighted in the card. The subsequent nullification of such claims has to be indicated in

the agreement, or you may receive a legal notice from someone you've never heard of, claiming that he is the owner of your bedroom. And all the other rooms.

LAND STATUS Did you know that all property in India is agricultural, unless otherwise notified? For any first-time property purchase, the district collector must issue a non-agricultural certificate, permitting its use for non-agricultural purposes. Even city properties must fulfil this criterion. Naturally, this doesn't apply to a second sale or purchase.

PROPERTY TITLE This certificate is issued by a lawyer after he has investigated the title to the property, and should be attached to the agreement. Don't depend blindly on this to get the correct picture. Lawyers usually give the property a clean chit on the basis of documents shown by the builder. However, they don't specify the documents they have checked. In case the title is not clear, the lawyer risks being debarred. Hence this vagueness. Check for