

Encumbrance Certificate

Why does a buyer need an encumbrance certificate ??

The encumbrance certificate is an extract issued by the sub-registrar's office that highlights the details of the various transactions taken place in a specific survey number/plot/khasra/ khatauni/mauja/katha number for a specified period of time. It provides evidence that the property in question is free from any monetary and legal liabilities. Normally the applicant will have to clearly mention the search period for which the encumbrance certificate is sought for.

The transactions recorded in Book I Extract (also known as Index II) maintained with the sub-registrar's office records — such as the sale agreement, sale deed, partition deed, release deed, settlement deed, gift deed, mortgage deed, mortgage discharge receipt, court attachment orders, etc. — will find a place in the encumbrance certificate. The certificate will highlight the date and details of the transactions, volume number, book number, document numbers, and names of the parties to the transaction.

Till date, computerised encumbrance certificate extracts are issued only in seven States in India:

- Andhra Pradesh & Telangana – 01.01.1980 onwards
- Tamil Nadu – 01.01.1987 onwards
- Kerala – 01.01.1992 onwards
- Gujarat – 01.01.1994 onwards
- Karnataka – 01.04.2004 onwards
- Odisha – 01.05.2010 onwards
- Puducherry (UT) – 01.01.2006 onwards

In the remaining States, only a handwritten certificate is issued. If there haven't been any transactions in the specific property during the period for which an encumbrance certificate is sought for, then a NIL encumbrance certificate will be issued.

e-search of encumbrances

In Andhra Pradesh, Telangana, Maharashtra, Tamil Nadu, Jharkhand, and West Bengal it can be verified online on the following websites:

- Andhra Pradesh – :: IGRS :: (period from 01.01.1983 onwards)
- Telangana – :: IGRS :: (period from 01.01.1983 onwards)
- Tamil Nadu – .:: HOME - TNREGINET ::. (period from 01.01.1987 onwards)
- Maharashtra – www.esearchigr.maharashtra.gov.in (period from 01.01.1985 onwards)
- Jharkhand – www.jharkhand.gov.in/registraton (period from 01.01.1970 onwards but not continuous across the State)
- West Bengal – www.wbregistration.gov.in (period of time varies in each District)

