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Selling Property in India as an NRI — Documents Checklist for TDS, Tax and Repatriation

The buyer must deduct TDS on the whole sale price at 12.5% plus surcharge and cess unless you hold a lower-deduction certificate. Getting Form 13 before the agreement is the single most valuable step — see our NRI property sale calculator.

Title and cost

☐ Registered purchase deed or allotment letter and possession letter; society share certificate
☐ Payment proofs for the original purchase — bank statements, builder receipts, stamp duty and registration receipts
☐ Bills for improvements and renovation (with dates, for indexation)
☐ Valuation report for fair market value as on 1 April 2001, if bought before then
☐ Latest property tax receipt and society no-dues certificate

Lower TDS certificate (Form 13)

☐ Draft sale agreement or MOU with the buyer, showing the price and the buyer's PAN and TAN
☐ Computation of the expected capital gain (we prepare it)
☐ Last two years' returns, if filed; PAN; passport and visa for status
☐ Registration on the TRACES portal as a taxpayer (we handle it)
☐ Applied before the agreement is signed — the certificate takes three to six weeks

At sale

☐ Buyer's TAN — a buyer paying an NRI must have one (from FY 2026-27 a PAN-based deposit is allowed under section 195)
☐ TDS challan and Form 16A from the buyer for each instalment
☐ Registered sale deed, with the sale proceeds credited to your NRO account
☐ Power of attorney, notarised and apostilled abroad and adjudicated in India, if you are not present for registration

Reinvestment (if claiming exemption)

☐ Agreement and payments for a new residential house in India (section 54), within one year before or two years after the sale
☐ 54EC bond allotment advice — NHAI, REC, PFC or IRFC within six months, up to ₹50 lakh
☐ Capital Gains Account Scheme deposit slip if the new house is not bought before the return due date

Repatriation

☐ Form 15CB from a chartered accountant and Form 15CA filed on the portal
☐ Bank's remittance form (A2) and the NRO to NRE/foreign transfer request
☐ Sale deed, TDS proofs and the tax computation for the bank's file — up to USD 1 million a financial year from an NRO account
☐ Copy of the filed return showing the gain, if the sale and remittance fall in different years

Before you send

- Ask the buyer to deposit TDS under section 195 with their TAN — TDS under 194-IA at 1% is the wrong section for an NRI seller and causes notices to both sides.
- File the return for the year of sale to claim the refund of any excess TDS; refunds to NRO accounts take four to eight weeks after processing.
- Agricultural land in a rural area is not a capital asset and its sale is not taxed, but NRIs generally cannot buy it.