



**GHAR BANEGA, TOH DESH BANEGA.**

**AADHAR HOUSING FINANCE LIMITED**

**SOP-PROCEDURE FOR HANDOVER OF ORIGINAL TITLE DOCUMENTS ON FULL  
REPAYMENT / CLOSURE / SETTLEMENT OF THE LOAN**

**(Effective from 1<sup>st</sup> December 2023)**

**(Version – I)**

## **SOP-PROCEDURE FOR HANDOVER OF ORIGINAL TITLE DOCUMENTS ON FULL REPAYMENT/CLOSURE/SETTLEMENT OF THE LOAN**

### **Reference:**

Responsible Lending Conduct – Release of Movable / Immovable Property Documents on Full Repayment / Settlement of Loans issued by Reserve Bank of India vide Circular bearing reference no. RBI/2023-24/60 DoR.MCS.REC.38/01.01.001/2023-24 dated September 13, 2023, directing all NBFC (including HFC)

### **Know Your Customer Documents (KYC):**

The KYC documents includes the copies of the individual documents which shall be made available and shall be accompanied along with the original documents of the same for the on-site verification / authentication against the copy of documents which are submitted to ensure the identification of the individual:

### **The KYC documents attested copies that are collected and mentioned hereinbelow (any one is required):**

- a) Permanent Account Number (PAN) Card
- b) Valid Passport
- c) Voter ID card
- d) Valid Driving License
- e) Identity Card issued by the State / Central Government.
- f) JOB card issued by NREGA
- g) Aadhar Card (with Crossing of first 8 digits of Aadhar Number)

### **Procedure for Release of Immovable Property including Handover of Original Title Documents post full repayment/closure/Settlement of the loan.**

#### **I. Release of Immovable Property Documents**

Upon Closure of Loan, AHFL will send intimation (via SMS/Letter/WhatsApp) to borrower to collect Original Property document from the branch form where customer has availed the loan, within 30 days from the date of intimation received. The Original Property documents shall be released to borrowers/s, and all the charges registered with any registry shall be removed within a period of 30 days after full repayment/ settlement of the loan account by the Borrower/s. (procedure for release deed mentioned in III (d) below)

If in case Borrower/s did not visit or contacted AHFL branch to collect original property documents within 21 days post first intimation, in such scenario AHFL will send a reminder (via SMS/Letter/WhatsApp) to collect property document in specified period of remaining 9 days and if borrowers fail to collect the property document within 30 days of first intimation received, the compensation mentioned in II (a) below will not be applicable. In such scenario original document will be send back to storage vault, and in order to retrieve documents, a fresh request to be submitted by customer along with applicable document retrieval charges (as per Tariff schedule) and TAT of 30 days will be started from revised request date.

#### **II. Compensation for delay in release of Movable / Immovable Property Documents**

- a) In case of delay in releasing of original property documents of the immoveable property or failing to file charge satisfaction form with relevant registry beyond 30 days after full repayment/ settlement of loan, AHFL shall communicate to the borrower/s reasons for such delay to the Property Address. In case where the delay is attributable to AHFL, it shall compensate the borrower/s at the rate of ₹5,000/- for each day of delay.
- b) In case of loss/damage to original property documents of the immovable property, either in part or in full, AHFL shall assist the borrower/s in obtaining duplicate/certified copies of the property documents of the immoveable Property, AHFL shall bear the associated costs if any, in addition to paying compensation as indicated at paragraph above.

However, in such cases, an additional time of 30 days will be available to the AHFL to complete the procedure as mentioned in (a) above and the delayed period penalty will be calculated thereafter (i.e., after a total period of 60 days).

The compensation provided under these directions shall be without prejudice to the rights of the borrower/s to get any other compensation as per any applicable law.

### **III. Process to handover the documents to the Borrower/ss.**

#### **a) Borrower/s & Co-Borrower/s alive:**

Only the property owners or one joint property owner along with duly signed consent of other co-owners shall be entitled to claim/collect the original title documents deposited as security with Aadhar Housing Finance Limited (AHFL) designated Branch providing loan services within 30 days from the date of intimation received from AHFL for collection of original document ( as per procedure mentioned in "I" above), and as per the List of documents issued to them by (AHFL) during the loan availed from AHFL Branch.

The property owners shall acknowledge the receipt of the original title documents to AHFL along with the self-attested KYC documents.

#### **b) Borrower/s / co-borrower/s deceased who was also the property owner:**

The beneficiary/ies of the deceased as certified in the Legal Heir Certificate/Succession Certificate issued by the Court, or one joint property owner along with duly signed consent from other co-owners/legal heirs shall be entitled to collect the original title documents from AHFL (refer to procedure mentioned in "I" above), deposited as security with AHFL by the deceased.

The Legal Heir Certificate shall be carried in its original by the Legal Heir/s for verification by AHFL officials at the time of collection of the Original Title deeds.

The Legal Heir/s shall also submit the self-attested KYC document with a copy of Legal Heir Certificate and along with the acknowledgement of the receipt of the original documents.

#### **c) Borrower/s / Co-Borrower/s deceased who was not an owner of the property:**

Only the property owners or one joint property owner along with duly signed consent from other co-owners/legal heirs shall be entitled to claim/collect the original title documents deposited as security with Aadhar Housing Finance Limited (AHFL) designated branch (refer to procedure mentioned in "I" above), and as per the List of documents issued to them by (AHFL) during the loan availed from AHFL Branch.

The property owners shall acknowledge the receipt of the original title documents to AHFL along with the self-attested KYC documents.

#### **d) The original title documents can be collected from the AHFL designated Branch, where the loan account was serviced to the Borrower/s/s at the time of loan closure or from the nearest AHFL branch which the Borrower/s/s intend to collect the original title document subject to a written confirmation cum request received from the Borrower/s/s to AHFL at the time of full repayment/closure/Settlement of the loan. If such a written request for collection of property document is submitted by borrower/s at a later date, then it may lead to delay in overall process of release of documents beyond 30 days and such delay would not be attributable or accountable at AHFL end. (refer to procedure mentioned in "I" above).**

#### **e) If registered mortgage deed was executed by the borrower/s at the time of sanction and disbursement of the loan in favor to AHFL, then in such cases post full repayment/settlement/ closure of the loan, it shall be the sole responsibility of the borrower/s to intimate, execute such registered release deed to be registered with the sub registrar of assurances at the sole expenses to be paid by the borrower/s and release deed to be executed & informed by borrowers within 7 days to AHFL Branch, post release of original property document. Whatever required documents, AHFL shall provide its full assistance for execution and registration of the registered release deed. If borrower(s) has/have not completed/started the procedure to register the release deed, in such scenario it may lead to delay in release of charge within 30 days of loan closure and such delay would not be attributable to AHFL and in such cases AHFL will not be responsible for any such delays.**

## **PROCEDURE FOR RETURN OF ORIGINAL MOVABLE / IMMOVABLE PROPERTY DOCUMENTS TO THE LEGAL HEIRS OF DEMISES OF THE SOLE BORROWER / JOINT BORROWERS**

In the event of death of mortgagor, release of the movable/immovable securities original documents (Mortgaged) at the time of closure of loan accounts, the below procedure is followed by the Aadhar Housing Finance Limited (AHFL).

The legal heirs of the mortgagor should submit the below mentioned documents to the respective Branch Head/Manager, where they chose to obtain the original movable/ immovable property documents from the branch where the loan account was maintained or any other offices in which the documents are available, if the mortgage is prior to 01.12.2023. From the effective date of 01.12.2023 the legal heirs of the mortgagor should submit the followings to the branch head/Manager, where the place of return/handover of document is mentioned in the loan sanction document.

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- (i) Request letter (by Legal heirs of deceased mortgagor/claimants and co-Mortgagor) for release of mortgaged property's original title documents.
- (ii) Death Certificate of borrower/mortgagor issued by Municipality / Corporation/ Panchayat OR Registrar of Births / Deaths.
- (iii) A) Legal Heirship certificate of borrower/mortgagor, issued by Revenue Authorities of Rank not less than Tahsildar/Deputy Tahsildar or Succession Certificate issued by the competent Court.  
  
B) Valid Proof of claimants (i.e., legal heirs of borrower/mortgagor), anyone of the following which contains photo, viz., 1. Passport, 2. Driving license, 3. Voter's Identity Card issued by Election Commission of India, 4. Job card issued by NREGA duly signed by an officer of the State Government, 5. Letter issued by the National Population Register containing details of Name, Address, 6. Proof of Possession of Aadhaar.
- (iv) The legal heirs may jointly submit their request or issue letter of Authority/consent letter authorising one or more legal heirs of borrower/mortgagor to collect the claim amount as per the format (Annexure – 1).
- (v) Affidavit cum indemnity (Annexure-2)
- (vi) Property title documents acknowledgment/Receipt by the legal heirs/claimant should make an endorsement on receipt of original movable/immovable (mortgaged) documents as per Annexure -3.

The release of original movable/immovable property title documents or file "charge satisfaction form" with relevant registry will be done within 30 days of loan closure, as per the RBI Direction. In the event of any delay in documents release process due to non-submission of relevant documents or information by the legal heirs/ claimants/ co-mortgagor it should be communicated to the legal heirs/claimants/co-mortgagor. The delay days will not be included while computing the period of 30 days above mentioned.

Annexure – 1

**CONSENT LETTER /LETTER OF AUTHORITY**

From

Date :

To

The Branch Manager,

Aadhar Housing Finance Limited

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Dear Sir,

Sub: Request to handover the title documents of the mortgaged property deposited by borrower Late Sri/ Smt -----upon closure of loan.

This is to inform you that Sri/Smt ..... passed away on ..... leaving behind him/ her as his/her heir/s the below mentioned person/s.

I/We, the undersigned, who is /are legal heir/s of Late Sri/Smt ..... do hereby authorise Sri/Smt ..... the Son/daughter/grandson/granddaughter of ....., residing at ....., who is also one of the legal heirs of the said deceased, to receive the title documents of the mortgaged property deposited by Mr./Mrs....., which is to be returned to me/us as legal heir/s of Late Sri/Smt ..... as detailed below, due to closure of loan. List of Legal Heir/s

Name	Age	Relationship to the Deceased	Details of proof submitted

PARTICULARS OF ACCOUNTS: -

S. No.	Borrower Name	Loan account Number	Mortgagor Name	Loan Account closure Date	Mortgaged asset particulars

The said original movable/immovable property documents under the above said account forms part of the assets of the deceased. I/We am/are have absolute right over the said property mortgaged and am/are entitled to a share in his/her assets. I/We hereby declare that I/We have no objection in handing over the original mortgaged movable/immovable property title documents deposited with your branch, by the deceased Sri/Smt..... , to Mr./Mrs.Ms. \_\_\_\_\_

I/ We further state that the acknowledgment/receipt given by the said Sri/ Smt .....in respect of the said mortgaged property's title documents, shall be effective as if the same is given by me/us and binding on me/us. Handing over of the original movable/immovable original title documents by AHFL shall be fully and completely binding on me/us and shall discharge AHFL from any claim whatsoever from me/us and my/our legal heirs, successors in- title, assigns, administrators, executors or any other person claiming through me/us or in trust for me/us.

Yours faithfully,

(Name and sign of legal heir/s)

Witnesses:

1. Signature Name

Occupation Address

2. Signature Name

Occupation

Address

(To be notarized by Notary Public.

## AFFIDAVIT CUM INDEMNITY

(To be printed in stamp paper)

In respect of receipt of original movable / immovable property title documents (Mortgaged) deposited by deceased borrower Mr. \_\_\_\_\_, upon closure of loan availed.

I, We/Mr/Ms/Miss.....(name/names of the claimants) s/o, w/o, d/o)..... aged..... Address....., do hereby solemnly affirm and sincerely state as follows.

1. I/We am/are the legal heirs of Mr/Ms/Miss (name of deceased mortgagor) and the deceased person is my/our (father/mother/wife/husband/son/daughter etc.)
2. I/We further state that I/We the following legal heirs are the only legal heirs entitled to claim /receive the original movable / immovable property documents mortgaged with M/s. Aadhar Housing Finance Limited.

Name	Age	Relationship to the Deceased

3. I/We further state that the deceased has mortgaged the original movable/immovable property title documents at \_\_\_\_\_ branch of Aadhar Housing Finance Limited (hereinafter referred to as "AHFL").

S. No.	Description of Document / Collateral security	Nature of Document (Xerox / Original)

The loan account for which the above mentioned documents were mortgaged was fully closed on .....

4.I/We affirm that I/We am/are the sole legal heir/s of the deceased who is/are entitled to receive original movable/immovable property title document deposited and I/We also declare and affirm that there is no subsisting WILL executed by the Deceased.

I/We have requested the AHFL to hand over the original movable/immovable property document to Shri / Smt \_\_\_\_\_ being one of the legal heirs of deceased account holder.

5.I/We are aware that the AHFL has agreed to hand over the original movable/immovable property title documents, relying on this affidavit and I/We agree to indemnify AHFL in respect of such delivery of the original movable/immovable property title documents, against any claim made by any person for the same.

6.I/We for ourselves and my/our respective heirs, executors and administrators jointly and severally agree, affirm and undertake that the AHFL, its successors and assigns and its managers, agents, officers and servants and their respective estates and effects are and shall from time to time and at all times hereafter be kept safe and saved harmless and indemnified for and in respect of such handing over the original movable/immovable property document and against all actions, losses, cost, charges, expenses and demands whatsoever in respect of the said delivery of the said original movable/immovable property title documents. All the declaration and statement made herein are true and correct and I/We put my/our signature/mark on this \_\_\_\_\_ Day of \_\_\_\_\_ 202\_\_ at \_\_\_\_\_ in the presence of

\_\_\_\_\_.

Signatures(s) of deponents. (claimants)

Affidavit to be notarized by Notary Public.



Annexure - 3

**ACKNOWLEDGMENT / RECEIPT**

From

Date :

To

The Branch Manager, Aadhar  
Housing Finance Ltd.,

.....

Dear Sir,

Sub: Receipt of Original movable/immovable property documents – Reg

I, We/Mr/Ms/Miss.....(name/names of the claimants) s/o, w/o,  
d/o)..... aged..... Address....., received the below list of  
movable/immovable property documents in good condition and I hereby given discharge to the  
AHFL that I have received the below documents mortgaged with AHFL.

S.No	Description of Document / Collateral security	Nature of Document (Xerox / Original)

Yours faithfully,