

GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF THE DIVISIONAL COMMISSIONER, DELHI
STAMP & REGN. BRANCH, REVENUE DEPARTMENT
'B' BLOCK, 5, SHAM NATH MARG, DELHI-110054

F.No. 1(92)/Regn.Br./Div.com/HQ/2013/815

Dated : 22.07.2013

CIRCULAR

With reference to the judgement of the Hon'ble Supreme Court of India in SLP (C) No. 13917 of 2009 titled Suraj Lamp & Industries Pvt. Ltd. Vs. State of Haryana & Anr. and subsequent order dated 30.04.2013 of the Hon'ble Delhi High Court in the matter of Pace Developers and Promoters Pvt. Ltd. Vs. Govt. of NCT, WPC 4585/2012, and, in suppression of all earlier orders in this context, it is clarified as under:-

1. There is nothing in the existing provisions of the law that prevents a registered property owner holding registered and valid deed of transfer like sale deed, gift deed, partition deed, relinquishment/release deed etc. from executing general power of attorney/special power of attorney in favour of their spouse, son, daughter, brother, sister or any other relative or person of his trust to manage his property or empowering him/them to execute any further deed of transfer including conveyance, sale, gift deed etc. on behalf of the registered owner.
2. However, immovable property can be legally and lawfully transferred only by a registered deed like sale, gift conveyance etc. Transaction i.e. execution of general power of attorney/special power of attorney/WILL etc., in respect of immovable property, do not convey any title, and, thus, are not legally recognized valid modes of transfer of immovable property as per the existing provisions of the law.
3. A lease can be validly transferred only under a registered Assignment of Lease.

All the Sub-Registrars, Delhi/New Delhi are accordingly directed to comply with the above said instructions.


(DHARAM PAL) 22/7/2013
DIVISIONAL COMMISSIONER: DELHI / I.G. (R)

Copy to:

1. All the Registrar/ Dy. Commissioners (Revenue).
2. All ADMs, Deptt. of Revenue, GNCTD.
3. All SDMs / COS, Deptt. of Revenue, GNCTD
4. All Sub-Registrars, Deptt. of Revenue, GNCTD.

Copy for information: -

1. Vice Chairman, DDA Vikas Sadan, New Delhi
2. The Chairperson, NDMC, Parliament Street, New Delhi.
3. All Commissioners MCD (North/South/East).
4. Spl. IGR-I, & II, Delhi, Deptt. of Revenue, GNCTD.
5. System Analyst, Deptt. of Revenue, GNCTD - (with the direction to uploading the same on the department website).
6. Guard file/ Office copy.


(DHARAM PAL) 22/7/2013
DIVISIONAL COMMISSIONER : DELHI / I.G. (R)