



Memo No. 1000 - 1S / 22 / 2024


Date 27/02/2024.

CIRCULAR

This Department and the Directorate of Land Records & Survey, W.B. from time to time have issued several instructions on mutation on the basis of power-of-attorney. However, it has been reported that different types of malpractices regarding transfer of landed property by virtue of executed power-of-attorney are taking place. To arrest these types of activities it is hereby directed that before any mutation is allowed where the land has been transferred on the basis of any power-of-attorney (general or specific), the Prescribed Authority under section 50 of the WBLR Act, 1955 shall ensure the following:

- i. Mandatory publication of the land schedule intended to be transferred on the basis of power-of-attorney as well as the details of the transferor and transferee along with the details of the concerned power-of-attorney in two widely circulated newspapers are to be done. The cost for such publication is to be borne by the transferee / applicant. The Prescribed Authority shall have to verify the said newspapers personally and such papers cuttings mentioning the name of the newspaper and date of publication shall have to be submitted by the transferee / applicant at the time of hearing, which shall have to be preserved with the case records without fail,
- ii. In case where the Principal is a non-resident Indian, mandatory verification of the stamp used for the registration of the power-of-attorney has to be done in order to ensure whether the same has been duly authenticated by the Collector of the district as per the provisions of section 18 of the Indian Stamp Act, 1899,
- iii. A reference shall have to be made with the concerned ADSR for checking the veracity of the power-of-attorney before allowing such mutations and the reply / response from the ADSR shall have to be preserved with the case records,
- iv. The date of hearing of such mutation cases should be fixed on a date which will be at least one month later than the date of such publication as mentioned in (i) above,
- v. Mandatory conduct of field enquiry before allowing any mutation where the land in question is transferred on the basis of any power-of-attorney and the said enquiry report shall have to be preserved with the case records,
- vi. Proper service of notices upon all interested parties in such mutation cases and preservation of the service returns with the case records,
- vii. Such mutation case records should be separately preserved by the concerned BL&LRO without fail so as to ensure that the same are available as and when needed.

Any deviation from the above shall be viewed seriously.

  
Land Reforms Commissioner, W.B. and  
Secretary to the Government of West Bengal.

Memo No. 1000 /1(6) - 1S / 22 / 2024

Date 27/02/2024.

Copy forwarded to:

- (1) The Director of Land Records and Surveys and Jt. LRC, West Bengal for information and necessary action.
- (2) The District Magistrate & Collector, \_\_\_\_\_ (All) for information and necessary action.
- (3) The Additional District Magistrate and District Land & Land Reforms Officer, \_\_\_\_\_ (All) for information and with a request to propagate this circular at all levels.
- (4) The Sub-divisional Land & Land Reforms Officer, \_\_\_\_\_ (All) for ensuring compliance.
- (5) The Block Land & Land Reforms Officer, \_\_\_\_\_ (All) for compliance.
- (6) For uploading at the departmental website.

  
Deputy Secretary to the Government of West Bengal.