

POLICY GUIDELINE

BY FAX/E-MAIL

No.751/20/L/DE/MISC/2010

Govt. of India, Ministry of Defence

Directorate General Defence Estates

Raksha Sampada Bhawan

Ulaan Bataar Marg, Delhi Cantt-110010.

Dated: 07th October, 2015.

To

The Principal Director
Defence Estates, Ministry of Defence
Central/Eastern/Northern/Southern/South Western/Western Command
Lucknow/Kolkata/ Jammu/ Pune/Jaipur/Chandigarh.

Sub: **Instructions on preventive measures – Taking action on Power of Attorney (POA) submitted by HORs/owners for seeking various permissions or approvals etc**

Recently, in one of the Audit Paras, it was observed that the Power of Attorney was given for a specific purpose and in fact was titled as "Special Power of Attorney" only for sale. However, the field officer concerned construed Special Power of Attorney as General POA and proceeded to consider a request made by POAH for which he was not empowered/authorized (i.e. reconstruction of building). The issue was examined by a Sub-Committee of Parliament Accounts Committee (PAC) and it was pointed out that such lapses on part of the field officers were serious.

2. All officers including CEOs and DEOs are advised that they should examine the Power of Attorney (POA) submitted by the HORs/Lessees/Successors-in-Interest of old grant/leasehold lands very carefully and ensure that necessary action should be taken only in terms of the extent to which power is given to the POAH. Also, period for which power of attorney has been given should be strictly noted to avoid any action on period beyond.
3. This is necessary to avoid any recurrence of such misinterpretation or omission which may result in legal complications at a later stage.
4. This issues with the approval of DG DE.

(AJAY KUMAR SHARMA)
Addl Director General (L/LA)
Defence Estates

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1. Files No.723/A/23/L/DE/2015 & No.701/Misc/DP/RD/DE/2012