Information Checklist

Specific Power of Attorney for Admitting Execution of a Document of Immovable Property

This Information Checklist is based on the Specific Power of Attorney for Admitting Execution of a Document of Immovable Property (SPOA) template. It guides legal professionals through gathering the necessary information and obtaining client instructions on clauses that may require discussion, ensuring that the SPOA is both comprehensive and tailored to the client's needs. The checklist highlights key clauses where client input is essential. This checklist serves as a practical companion to the SPOA template, ensuring a well-drafted and enforceable document.

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| **Number** | **Information Required** | **Answer** |
| **Part 1: Information Required to Complete the SPOA** | | |
|  | **Details of the Power Grantor** |  |
|  | Full name of the person granting the power |  |
|  | Age |  |
|  | Permanent Account Number (PAN) |  |
|  | Residential address |  |
|  | **Details of the Property** |  |
|  | Type of property (e.g., land, building, apartment) |  |
|  | Measurements (square meters/square feet) |  |
|  | Carpet area or built-up area |  |
|  | Full address and location of the property |  |
|  | Detailed property description, including boundaries |  |
|  | **Nature of Transaction** |  |
|  | Type of transaction the grantor intends to undertake (e.g., sale, transfer, mortgage, license) |  |
|  | Title of the main agreement (e.g., Sale Deed, Agreement for Sale) and other documents related to the property |  |
|  | Whether the grantor is admitting execution of an already executed document or planning to execute the agreement |  |
|  | **Details of the Attorney (Person to Whom Power Is Granted)** |  |
|  | Full Name |  |
|  | Age |  |
|  | Permanent Account Number (PAN) |  |
|  | Residential address |  |
|  | **Reason for Granting Power of Attorney** |  |
|  | Reason for the grantor’s inability to be present for execution (e.g., old age, illness, unavailability) |  |
|  | **Date and Location** |  |
|  | Date on which the power of attorney is executed |  |
|  | Specific office where the Attorney will appear (e.g., Sub-Registrar of Assurances) |  |
| **Part 2: Client Instructions on Clauses Subject to Discussion** | | |
|  | **Scope of the Attorney’s Powers** |  |
|  | **Question:** Do you wish to restrict the Attorney’s power only to the admission of execution, or should they also handle other necessary tasks, such as signing ancillary documents?  **Explanation:** Discuss the exact powers to be granted to the Attorney. Ensure clarity on whether the Attorney will:   * Only admit execution of the primary agreement. * Act on behalf of the grantor for registering additional documents related to the property transaction. |  |
|  | **Consideration for Granting Power** |  |
|  | **Question:** Can you confirm that no monetary consideration is involved in appointing this Attorney?  **Explanation:** Confirm that the Attorney is being appointed without any financial consideration. Refer to the practice notes in the document template for a better understanding of the implications of consideration. |  |
|  | **Ratification of Acts by Attorney** |  |
|  | **Question:** Are you comfortable with all actions taken by the Attorney on your behalf being considered as if done by you personally?  **Explanation:** The document stipulates that all lawful acts of the Attorney will be considered as acts of the grantor. This broad authority should be clearly understood and agreed upon by the client. |  |
|  | **Revocation and Termination Clauses** |  |
|  | **Question:** Do you wish to reserve the right to revoke this power of attorney in the future, or should it remain irrevocable until the transaction is completed?  **Explanation:** Clarify if the power of attorney is revocable or irrevocable. The client should be made aware of any conditions under which the authority might be terminated. |  |
|  | **Authority to Appear Before Registrar / Sub-Registrar** |  |
|  | **Question:** Will the Attorney have full authority to handle all the registration proceedings, or do you wish to limit their involvement to specific tasks?  **Explanation:** Confirm the specific authority granted to the Attorney to appear before the Sub-Registrar and complete registration formalities. |  |
|  | **Acceptance by Attorney** |  |
|  | **Question:** Have you confirmed the willingness of the Attorney to accept the role and responsibilities assigned under this power of attorney?  **Explanation:** Ensure that the Attorney formally accepts the appointment. This is essential to validate the document. The Attorney’s ability to act for the Grantor must also be considered as to avoid the document being infructuous. |  |

**Disclaimer**

This checklist is intended as an indicative guide for the information necessary to complete the associated template document and facilitate discussions between a legal professional and their client. TLL does not guarantee the accuracy, completeness, or interpretation of this checklist. Users are strongly encouraged to review the template document for which the information is being collected before relying on this checklist in legal practice.

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