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Request-100 ^{299/R(B)} / 1812/15

D.R.(M)

May kindly see the letters at flags 'A' & 'A-1', received from Smt. Pragya Singh-II, the then Judicial Magistrate, Shahjahanpur presently posted as Additional Civil Judge (Junior Division), Shahjahanpur regarding acceptance of gift of Maruti Suzuki Dzire car by her father.

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In her letters, Smt. Pragya Singh has stated that her father Sri Piyush Kumar, retired District Judge has purchased a Maruti Swift Dzire car in her name as gift out of natural love & affection and without any sale consideration. She has also submitted a copy of 'Sale Invoice', 'Sale Certificate' & temporary 'Registration Certificate' in this regard, which may kindly be seen at flag 'B'. Copy of passbook of her father is at flag 'C'. The price of the above mentioned vehicle has been solely paid her father. She has not submitted any gift deed as no formal gift deed was executed by her father. He has, given the same information for kind perusal of the Court.

In this connection, it is submitted that the relevant rule relating to transfer of movable property [Rule-24 (2) of U.P. Government Servant's conduct Rule-1956] and relevant rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct Rules, 1956) are as under :

24(2). "A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;

Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority."

11. Gifts :- A government servant shall not without previous approval of Government :-
(a) Accept directly or indirectly on his own behalf or on behalf of any other persons, or
(b) Permit any member of his family who is dependent on him, to accept any gift, gratuity or reward from any person other than a close relation:

It is further submitted that the officer has got the car as gift from her father out of natural love and affection, it amounts to be a gift from closest blood relative, which is permissible under Rule 11.

May, therefore, if approved, the file be laid before Hon'ble Mr. Justice Sudhir Agarwal for His Lordship's kind perusal and orders?

Senior Registrar (Judicial)(Budget)

Submitted for kind perusal and onward submission before Hon'ble Mr. Justice Sudhir Agarwal for His Lordship's kind perusal and orders.

Aravind
11/12/15
Aravind
14.12.15
S.S.

R. L. Pal
17-12-2015
H/C D.R.(Misc)

[Signature]
25-1-16

Hon'ble Mr. Justice Sudhir Agarwal

Submitted for kind perusal & orders.

Ms Anshu
27-1-16

DR CMD
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So. Regr (J) (B) 25/1/16

So. (Admin AU)
[Signature]
25-01-16

Aravind
Sr. Regr (J) (B)
18/12/15