

D.R.(M)

232
31/7/06
Request-100

May kindly see the letter, placed below at flags 'A', received from Sri Gyan Prakash Singh, Civil Judge (Jr. Div.), Utraula, Balrampur, by which he has requested for grant of permission to accept a car as gift from his wife.

In the letter, Sri. Singh has stated that his wife Smt. Ragini Shahi, D/o Sri. Sarvjeet Shahi, 14/67 A-4, Saarnath, Varanasi owns a Maruti Zen car bearing registration No. UP60/ D-0678 and she wants to give the car to him as gift with due consent. He has also furnished copy of registration certificate of the car and a consent letter, written by his wife in this regard, which are at flags 'B' and 'C' respectively. He has therefore, requested the Court to grant him permission to accept the car as gift from his wife.

In this connection, it is submitted that as the wife of the officer is giving the car as gift to him due to natural love and affection, the permission, as requested, may be granted. It is further submitted that the relevant rules relating to gift [Rule 11 of the U.P. Government Servant's Conduct (Amendment) Rules, 1998] and relating to transfer of movable property [Rule-24 (2) of U.P. Government Servant's conduct (Amendment) Rule-1998] runs as under: -

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 relative.*

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

...contd..2..

sanction of the appropriate authority."

As per the facts, circumstances and the relevant rules, it is on the discretion of the Hon'ble Court to accept the request of the officer or not.

A | May, therefore, if approved, the file be laid before Hon'ble Mr. Justice V.M.Sahai for his Lordship's kind perusal and orders?

Dr. Jaiswal
31.7.06

DRCM -
may if approved as proposed at A?
NR favour
31/7/06
S.O. A-1.

Registrar (Budget)

Submitted for kind perusal and onward submission before His Lordship' as proposed at 'A' above.

Jorwalawa
D.R.(M)
31.7.06

Hon'ble Mr. Justice V.M.Sahai

May if approved, permission to take car as Gift from his wife be granted to Smt Gyan Prakesh Singh, Civil Judge, Utraula, Balrampur.

Chauhan
31.7.06

D.R.(M)
by ✓

Reg.(B)
2.8.06

S.O. Ad(A)

by ✓
D.R.(M)
2.8.06

Permitted.

V.M.Sahai
(V.M. Sahai)
1.8.06