

**Hon'ble Mr. Justice Ali Zamin,  
Nominated Judge, Basti**

Most humbly it is submitted that, the matter was firstly placed before the then Nominated Judge Hon'ble Mr. Justice Anant Kumar who has superannuated on 06.06.2020. As your Lordship has been nominated Nominated Judge for Basti Judgeship, hence submitted for your Lordship's kind perusal and orders as proposed in the office note dated 25.01.2020 (placed below)

**Registrar (J)(Budget)**  
20.06.2020

**J.R.(J) (Budget)**

May kindly see the online application of Sri Vivek Chaudhary, Civil Judge (Jr. Div.), F.T.C., Basti regarding information about purchase as well as gifting of Maruti Baleno car by his father to the officer.

The information regarding purchase of car as required under Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 as furnished by the officer is given below:-

1	Date of joining service	19/06/18
2	Present Gross Salary Take home Salary	Rs. 81,618/- Rs. 64,012/-
3	Details of purchases (Moveable property exceeding to value of Rs. 10,000/- and immovable property) made by the officer earlier	None
4	Details of Advance or Loan taken from the High Court.	Nil
5	Details of loan taken from Bank etc.	Nil
6	Details regarding purchase of second hand car.	N.A.

7	(a) Details of the property purchased	New Maruti Baleno Zeta (Petrol) car purchased on 10.02.2019, allotted reg. no. UP 32 KM 1120.  <b>Note-</b> The said car is stated to have been purchased by the father of the officer, Sri Radhey Shyam in the name of his son (i.e. officer) as gift (copy of 'Consent letter' of his father as well as invoice has been submitted by the officer as attachment).
	(b) Cost price	Rs. 7,98,000/-
8	Name and address of the seller(s)	Bright 4 Wheels Sales Pvt. Ltd., 11/CP-6, Vikas Nagar Near Mini Stadium Ring Road, Lucknow.
9	Status of the Seller /Dealer	Regular & reputed
10	Whether the seller is related to the officer in any manner  and whether any case against him is pending/decided by the officer.	No
11	Details of source of amount	1. The father of the officer Sri Radhey Shyam is stated to have been paid the total cost of the car by withdrawal of his GPF A/c (copy of 'Transaction slip' & GPF A/c statement of his father has been submitted by the officer as attachment).  <b>Note:</b> Sri Radhey Shyam (officer's father) is working as Sr. Accountant in the office of G.M. (Accounts) postal Account (Lucknow) & has gifted the aforementioned car to his son.

The relevant rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct (Amendment) Rules, 1998) and relating to transfer of immovable property [Rule-24 (1) of U.P. Government Servant's conduct Rule-1956] 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.*

In view of the above, the information so submitted by the officer is likely to be acceptable, as the car has been gifted to him by his father, which is the closest blood relative.

In this connection it is submitted that the Rule-24 (2) of U.P. Government Servants Conduct (Amendment) Rules, 1998 relating to transfer of such item, is as follows: -

*“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.”*

Under the facts & details mentioned above and as the officer has purchased the car from a regular & reputed dealer, if approved, the matter may kindly be laid before Hon'ble Mr. Justice Anant Kumar, Nominated Judge for disposal of the matters of Judicial Officers, of

information/ permission of sale/ purchase of movable/ immovable property or gift etc. for the District Basti, for His Lordship's kind perusal and information under Rule 24 (2) U.P. Government Servant's Conduct Rules, 1956?

Munmun Narang

Review Officer

Mohd. Arshad

Asst. Registrar

25.01.2020