

### **Joint Registrar (J) (Budget)**

kindly see the online application, received from Sri Manish Kumar-I, Addl. District & Sessions Judge, Etah by which he has requested for grant of permission to visit Canada from 02.05.2020 to 30.05.2020 (suffixing Sunday i.e. 31.05.2020)

In his application, Sri Manish has stated that his son Harshdeep Singh is pursuing his study in Computer Science (four years degree course) in Simon Fraser University, British Columbia, Canada (supporting papers can be seen as attachment) and also does part time job in Canada and staying in rented house. He wants to go to Canada to visit his son in May-2020 and due to his visit to Canada any judicial work will not affect because a link officer is appointed in every Court for such exigencies. He has also stated that his tour is not for pleasure as his son Harshdeep Singh is facing some serious personal problem and he needs his support to get rid of his problems. If his son comes back to India it will be very harmful for his study and career so it is necessary for the officer to visit Canada and spend some days with his son for support. The officer has also added that his son is staying in rented house and he will stay with his son in his rented house so there will be no expenditure for accommodation. His visit to Canada entails only fare expenditure which is approximately one lac and fifty thousand rupees. He has also enclosed his bank statement as attachment. Furthermore, It is humbly submitted that in view of above mentioned special circumstances, he wants to go to Canada after availing Earned Leave from 02.05.2020 to 30.05.2020 (suffixing Sunday i.e. 31.05.2020) in May 2020 and his proposed visit to Canada will commence on 02.05.2020. He has visited Canada last year from 08.06.2019 to 19.06.2019 with the permission of Hon'ble High Court and came back within stipulated time. That time, he has also applied for visa to visit Canada and the same was granted to him with validity till 01.10.2026. Therefore, the applicant has valid visa to visit Canada. He has also added that he is submitting his application before time so that the air ticket may be available at cheaper rate and

also submitted following declarations in light of Hon'ble High Court Circular No.- 16/ IV f -101/ Admin(A) dated 27.05.2017:-

1. That by his visit to Canada, no dilemma is likely to create before the Government of India or before the Government of UP.
2. That any request to visit abroad was not refused to him earlier.
3. That last year he had also applied for permission before Hon'ble Court to visit Canada from 08.06.2019 to 19.06.2019 and the same was granted and he came back within stipulated time.

He has, therefore, requested to place his application for grant of permission to visit Canada from 02.05.2020 to 30.05.2020 (suffixing sunday i.e. 31.05.2020) in May 2020

In this connection, it is submitted that as per reports, no departmental/ vigilance enquiry is pending against Sri Manish Kumar- I. Permission to visit foreign country is considered vide G.O no. 1/3/98/-Ka Prasko./1999 dated 14.06.1999 and this Court's Circular letter no. 16/ IVf-101/Admin (A) dated 27.05.2017. As per the G.O. and relevant C.L. of the Court, the officer has furnished details of his Canada visit and lastly he has visited Canada from 08.06.2019 to 19.06.2019 with due permission of Hon'ble Court. It is pertinent to mention here that as his visit is from 02.05.2020 to 30.05.2020 (suffixing Sunday i.e. 31.05.2020) i.e. his Canada visit includes all official/working days except Second Saturday and Sunday and its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Etah to grant him permission to visit Canada from 02.05.2020 to 30.05.2020 (suffixing Sunday i.e. 31.05.2020) seeing the Court's C.L. dated 27.05.2017, approving guidelines that *abroad tour by any officer shall not be availed of during working days of the Court or during the period of suspension/departmental proceedings, except in case of medical treatment of himself/herself,*

*spouse or dependent, or in special circumstances and tours which are sponsored and/ or approved by the State/ Central Government during certain fixed span of time and does not fall during vacations. In these eventualities the Judicial Officers shall seek permission before applying for VISA.* But as the officer has stated that his tour is not for pleasure as his son Harshdeep Singh is facing some serious personal problem and he needs officer's support to get rid of his problems and if his son comes back to India it will be very harmful for his study and career so it is necessary for the officer to visit Canada and spend some days with his son for supporting him, thus the tour of the officer appears to be a personal trip which seems to be necessary in order to provide mental and emotional support to his son who is facing trouble in foreign country and the office already has the VISA with validity till 01.10.2026 of Canada, if His Lordships deem fit and proper, his request may be considered. It is also submitted that vide the aforesaid C.L. date 27.05.2017, it has been settled that for the purpose of grant of such permission the competent authority for the judicial officers is Hon'ble the Administrative Judge of the District concerned, for the Judicial officers posted in judgeship or on the District of any deputation post, subject to approval by Hon'ble the Chief Justice or any member of the Administrative Committee authorised by the Hon'ble the Chief Justice.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice B.Amit Sthalekar, Administrative Judge, Etah Judgeship for kind perusal and orders and if His Lordship approves, as a special case, Sri Manish Kumar-I, Addl. District & Sessions Judge, Etah may be granted permission to visit Canada to meet his son there from 02.05.2020 to 30.05.2020 (suffixing Sunday i.e. 31.05.2020), as requested, subject to the conditions that proper charge of Government records or cash, if any, or any government property with him, may be handed over by him before proceeding

abroad and also subject to further approval by Hon'ble The Chief Justice, as per requirement of Court's C.L. No.16/ IV f-101/ Admin (A)/ dated 27.05.2017, for which the matter is required to be submitted onwards to Hon'ble The Chief Justice by Hon'ble The Administrative Judge, Etah?

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

17.01.2020

**Hon'ble Mr. Justice B.Amit Sthalekar,**

**Administrative Judge, Etah**

Submitted for kind perusal and order

Registrar(J)(B)

20.01.2020