

Registrar (J) (Budget)

May kindly see the online applications, received from Sri Anil Kumar Jha, the then Presiding Officer, Motor Accident Claim Tribunal, Meerut presently posted as District & Sessions Judge, Pratapgarh by which he has requested for grant of permission to visit United States of America (USA) from 11.04.2020 to 30.04.2020 and also requested to permit him to apply for USA visa.

In his letter, Sri Jha has stated that his younger brother Mr. Sanjeev Kumar Jha, who stays in ATLANTA, USA, has a family function and his wife is expecting. The function of BABY SHOWER is to be held in the month of April 2020. He need to apply for visa and want to participate in the above said function in USA. He has also submitted that his brother will take care of his entire USA tour expenses, including the round trip air fare food, housing, medical insurance and all other personal expenses (copy of invitation letter of his brother can be seen as attachment). He has also submitted following details/ declaration which are as follows:-

1. There is no dilemma likely to arise/created before Government of India or U.P. due to his visit abroad.
2. He has never requested before. It was never refused .
3. He has never visited abroad .
4. He has also stated that tickets will be purchased by his brother after the grant of permission from this Court.
5. Copy of Passport can be seen as attachment.

He has, therefore, requested to place his application for grant of permission to visit USA from 11.04.2020 to 30.04.2020.

In this connection, it is submitted that as per reports, no departmental/ vigilance enquiry is pending against Sri Anil Kumar Jha. 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 USA visit. It is pertinent to mention here that as his visit is from 11.04.2020 to 30.04.2020 i.e. his USA 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, Pratapgarh to grant him permission to visit USA from 11.04.2020 to 30.04.2020 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 he has been invited by his brother, who resides at Atlanta, USA and his brother's wife is expecting and the function of BABY SHOWER is to be held in the month of April 2020, thus the tour of the officer appears to be a personal trip in order to fulfil his family obligations, 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 file may be laid before Hon'ble Mr. Justice Shashi Kant Gupta, Administrative Judge, Pratapgarh Judgeship for kind perusal and orders and if His Lordship approves,

as a special case, Sri Anil Kumar Jha, presently posted as District & Sessions Judge, Pratapgarh may be granted permission to visit United States of America (USA) from 11.04.2020 to 30.04.2020 to attend the baby shower function of his brother's wife, 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, Pratapgarh?

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

03.02.2020

**Hon'ble Mr. Justice Shashi Kant Gupta,
Administrative Judge, Pratapgarh**

Submitted for His Lordship's kind
perusal & order

Registrar(J)(B)

03.02.2020