

I/c Joint Registrar (J) (Budget)

May kindly see the online application of Sri Neeraj Kumar Mahajan, Additional District Judge, (POCSO), Hamirpur regarding grant of permission to accept gift of an immovable property from his father.

In his application, Sri Neeraj Kumar Mahajan has stated that his father wishes to gift him an immovable property i.e. plot no. 1-1266/2 B Mauja Jhansi Khas, outside datiya gate Filter processing Gwalior road, Tehsil and Distt. Jhansi, U.P. measuring 131.20 sq. m. The said property is stated to have been purchased by his father from his own earnings long before the officer's joining of service. Now he wants to gift this property to the officer as a son in family settlement. (copy of 'sale deed' as well as 'consent letter' of his father can be seen as attachment). Now, since it is necessary for him to obtain prior permission from the Hon'ble High Court before accepting this gift, he has humbly requested to place his application before the Hon'ble Court for granting him prior permission to accept the gift of plot from his father.

In this connection, the relevant extract of rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct Rules, 1956) is 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 this connection, it is submitted that as the plot is to be gifted to the officer by his father out of natural love and affection, it amounts to be a gift from close blood relative, which is permissible under Rule 11. Furthermore, the request of the officer appears to be considerable, as he has requested for prior permission for the transaction.

May, therefore, if approved, the matter be laid before Hon'ble Mr. Justice Manish Mathur, Administrative Judge, Hamirpur, also nominated for "Disposal of the matters of the Judicial Officers, wherein permission/information for sale or purchase of movable/immovable property and permission/information to accept gift under U.P. Government Servants' Conduct Rules 1956" for the district Hamirpur, for His Lordship's kind perusal and if His Lordship approves, Sri Neeraj Kumar Mahajan, Additional District Judge, (POCSO), Hamirpur be granted permission to accept gift of a plot no. 1-1266/2 B Mauja Jhansi Khas, outside datiya gate Filter processing Gwalior road, Tehsil and Distt. Jhansi, U.P. measuring 131.20 sq. m. from his father, as requested, subject to the condition that relevant papers of the transaction be submitted by him on completion of the transaction?

Munmun Narang R.O.

Mohd. Arshad A.R.

Hon'ble Mr. Justice Manish Mathur,

Administrative Judge, Hamirpur

Submitted for kind perusal & order

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