

I/c Joint Registrar (J) (Budget)

May kindly see the online application received from Smt. Yasha Sharma, Special Judicial Magistrate, Air & Water Pollution, Lucknow for grant of permission to transfer an immovable property ie. Flat no. 605, Nirmala tower, Ganeshpur, Rehmanpur, Chinhut, Lucknow, U.P. in the name to her mother Smt. Arunima Sharma.

In her application, Smt. Yasha Sharma has stated that she is from UPPCSJ 2018 batch & during her previous job as Assistant Professor (Law) at UPES Dehradun, she had purchased an immovable property, which is, Flat No. 605, Nirmala tower, Ganeshpur, Rehmanpur, Chinhut, Lucknow, U.P. The same has been declared by her in the property statement as well. (Copy of 'Sale Deed' can be seen as attachment). On 6th December 2020 her marriage was solemnized. Her husband is in service in PSU and has family residence at Gwalior, Bhind & native village. As she is transferred every three years in the judicial service so she is not in the immediate need of the aforementioned flat while her parents have no personal house of their own as residence. Therefore, she has requested this Hon'ble Court to grant her permission to transfer the said flat without consideration to her mother Mrs. Arunima Sharma

In this connection it is submitted that the flat measuring 1750 sq. feet had been purchased by the officer in the year 2017. She has joined the U.P. Judicial service in December 2019 the flat in question was declared by her in her first Property Statement (At the time of Joining). Now, she is willing to transfer the flat to her mother under the circumstances, mentioned above. The proposed transaction appears to be a gift transaction. Rules relating to gift and transfer of movable property i.e. Rule 11 and Rule 24 (2) of the U.P. Government Servant's Conduct Rules-1956, applicable in this case, are reproduced as below: -

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.

Rule 24 (2):- "A Government servant who enters into any such 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 enter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority."

May, therefore, if approved, the file be laid before Hon'ble Mr. Justice Mahesh Chandra Tripathi, Administrative Judge, Lucknow, also nominated for "disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc.", for the District Lucknow, for His Lordship's kind perusal and if His Lordship approves, Smt. Yasha Sharma, Special Judicial Magistrate, Air & Water Pollution, Lucknow be granted permission to transfer/ gift the flat no. 605, Nirmala tower, Ganeshpur, Rehmanpur, Chinhut, Lucknow, U.P., measuring 1750 sq. feet, in the name of her mother Smt. Arunima Sharma, as requested, with the conditions that she may furnish copy of the relevant papers of the transaction after its completion?

Munmun Narang R.O.

Mohd. Arshad A.R.

Hon'ble Mr. Justice Mahesh Chandra Tripathi,

Administrative Judge, Lucknow

Submitted for kind perusal & order

