

I/c Joint Registrar (J) (Budget)

May kindly see the online application received from Sri Sunit Chandra, Judicial Member, Commercial Tax Tribunal, Gautam Budh Nagar regarding information about gifting of house no. B 36, sector 30, G.B. Nagar to his wife by her mother.

The officer in his application has stated that his wife's parents were doctors. Due to the death of his wife's father and old age of wife's mother, she has, out of natural love and affection, gifted the house no. B 36, Sector 30, G.B. Nagar to her daughter (officer's wife) through a registered gift deed which was executed on 05-09-2022 as she (officer's mother-in-law) is not able to manage the property on her own. His mother-in-law has two children. Besides his wife, his mother-in-law has a son to whom she had gifted a flat in Lucknow few years back. The officer has also submitted a copy of the 'Gift Deed' as an attachment and has submitted the information regarding the gifting of the aforementioned house for kind perusal of this Hon'ble Court.

In this connection, it is submitted that the relevant rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct Rules, 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.

It is further submitted that the house has been gifted by officer's mother-in-law to her daughter (officer's wife) out of natural love and affection. Moreover, as there was no monetary transaction in between and the gift transaction is executed between the closest blood relatives being mother & daughter, there seems to be nothing objectionable as per rule referred to above.

May, therefore, if approved, the matter may kindly be laid before Hon'ble Mr. Justice Pankaj Bhatia, Administrative Judge, Gautam Budh Nagar, 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 Gautam Budh Nagar, for His Lordship's kind perusal and information under Rule (11) of U.P. Government Servant's Conduct Rules, 1956?

Munmun Narang S.O.

Nekahat Ayasha J.R. Admin (Misc.)

17.04.2023

Hon'ble Mr. Justice Pankaj Bhatia,

Administrative Judge, Gautambuddha Nagar

Submitted for kind perusal & orders?

I/C Joint Registrar(Judicial)(Budget)