

I/c Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sri Ishtiaq Ali, Judicial Member, Commercial Tax Tribunal, Agra regarding grant of permission to visit Saudi Arabia (Mecca & Madina) to perform Haj tentatively between 25th May 2023 to 25th July 2023 (expected period would be 30-45 days).

In his application, Sri Ishtiaq Ali has stated that he wishes to visit Saudi Arabia (Mecca & Madina) to perform Haj there. Thereafter, through online objection, the officer was asked to intimate the duration of visit, expenditure & it's source and also necessary declarations and clarification in the light of Hon'ble Court's Circular letter dated 27.05.2017 . In reply, the officer has submitted following declarations/ information, which are as follows:-

1. There will not be any possibility of arising any dilemma before the Government of India or U.P. due to his foreign visit to Saudi Arabia for the purpose of Haj pilgrimage visit.
2. There was no such request ever refused to him earlier.
3. He has never visited any foreign country earlier.
4. The actual date of departure and return to India would be intimated after official notification released by the Haj committee of India. The proposed period of stay there would be between 25th May 2023 to 25th July 2023 and the expected period would be 30 to 45 days.
5. Estimated expenditure of the visit is Rs. 4,00,000/- which would be expended from his Bank Account No. 0303010100025922 of Punjab National Bank (photocopy of bank passbook can be seen under attachment heading 'Bank Account Details').
6. Copy of passport can be seen under attachment heading 'Hajj'.

He, has therefore requested to Hon'ble Court to grant him permission to visit Saudi Arabia in order to perform Haj there.

In this connection, it is submitted that grant of permission to visit abroad is considered in accordance to the G.O.1/3/98-Ka-Prasko/1999 dated 14 June 1999 and in accordance with Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017. As per reports, no vigilance/ departmental enquiry is pending against Sri Ishtiaq Ali. It is pertinent to mention here that the tentative duration of his visit is between 25th May 2023 to 25th July 2023 (expected period would be 30-45 days), which includes all working days of the Hon'ble Court except Summer vacation, Sunday and Second Saturday holiday and the officer has stated that he wants to visit Saudi Arabia (Mecca & Madina) for performing Haj there, thus this trip appears to be religious in nature. As per the point no. (1) of Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017, Abroad tour by any officer shall not be availed of during working days of the Hon'ble 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 vacation. In these eventualities the Judicial officers shall seek permission before applying for VISA. In the instant case the officer has stated that he wants to visit foreign country (Saudi Arabia) for performing Haj tentatively between 25th May 2023 to 25th July 2023 (expected period would be 30-45 days), which is a purely religious trip. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Agra; either as a special case, to grant him permission to visit Saudi Arabia (Mecca & Madina) for performing Haj there; tentatively between 25th May 2023 to 25th July 2023 (expected period would be 30-45 days) or to pass any other order. In this connection. It is also submitted that in the Hon'ble High Court's Circular Letter dated 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. Vide subsequent order

dated 19.10.2020, Hon'ble the Chief Justice has been pleased to nominate Hon'ble Mr. Justice Pritinker Diwaker, to consider request of permission of the Judicial Officers to visit abroad in his place.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Suneet Kumar, Administrative Judge, Agra for kind perusal and if His Lordship approves, as a special case, Sri Ishtiaq Ali, Judicial Member, Commercial Tax Tribunal, Agra may be granted permission to visit Saudi Arabia (Mecca & Madina) to perform Haj there tentatively between 25th May 2023 to 25th July 2023 (expected period would be 30-45 days), as requested, subject to approval by Hon'ble Mr. Justice Pritinker Diwaker, Hon'ble The Acting Chief Justice, as per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017 and order dated 19.10.2020 of Hon'ble the Chief Justice, as mentioned above with the condition 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?

Or

To pass any other order, which His Lordship deems fit and proper.

Archana Awasthi
Review Officer

Meetu Verma
Assistant Registrar
Admin (A-4)

Hon'ble Mr. Justice Suneet Kumar,
Administrative Judge, Agra

Submitted for kind perusal & orders?

I/C Joint Registrar(Judicial)(Budget)

03.03.23

