

Registrar (J) (Budget)

May kindly see the online application received from Sri Prafull Upadhyay, presently posted as Additional Civil Judge (Junior Division), Kanpur Nagar regarding information about acceptance of gift of 1/4 agricultural land of mauza Hasdadi Tappa Tarayapar bearing Khasara No. 78 area 0.319 Hectare, 32 area 0.597 Hec., 3 area 0.803 Hec., 106 area 0.573 Hec. Total area 0.573 Hectare and 1/4 agricultural land of mauza Semardadi Tappa Tarayapar bearing Khasara No. 281 area 0.289 Hec., 175 area 0.634 Hec., 128 area 1.509 Hec. total area 0.608 Hec. from his father.

The officer in his application has submitted that his father Sri Satish Upadhyay out of natural love & affection has gifted 1/4 agricultural land of mauza Hasdadi Tappa Tarayapar bearing Khasara No. 78 area 0.319 Hectare, 32 area 0.597 Hec., 3 area 0.803 Hec., 106 area 0.573 Hec. Total area 0.573 Hectare and 1/4 agricultural land of mauza Semardadi Tappa Tarayapar bearing Khasara No. 281 area 0.289 Hec., 175 area 0.634 Hec., 128 area 1.509 Hec. total area 0.608 Hec. which has been accepted by him in accordance with the law laid down in the Registration act at Sub-registrar office in Dhanghata, Sant Kabir Nagar on 07-10-2022. The amount of Rs. 5000 as stamp duty and 1% registration fee of Rs. 29,620/- for muaza Hasdadi Tappa Tarayapar and the amount of Rs. 5,000/- as stamp duty and 1% registration fee of Rs. 85,630/- for muaza Semardadai Tappa Tarayapar, i.e. total amount of Rs. 1,25,250/- has been paid by his sister Gitanjali Upadhyay out of love and affection through her salary savings account no. 1531000400233534. The amount paid as stamp duty and registration fee has been withdrawn by his father through cheque bearing no. 170185, 170183, 170184 from the same salary savings account no. 1531000400233534 of his sister Gitanjali Upadhyay. His sister Gitanjali Upadhyay is an assistant teacher in Government primary school and is unmarried living in Hindu undivided family. (Copy of 'Gift Deed', 'Khasra-Khatauni' along with registration fee details & stamp fee details can be seen as attachment). The officer has also enclosed copy of statement of A/c of his sister. It is therefore, requested that the information regarding gifting of the aforementioned land may be placed before kind perusal of this Hon'ble Court.

It is also 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 land had been gifted to him by his father out of natural love and affection and is the closest blood relative being father & son. Moreover, as the monetary transaction regarding registration fee & stamp duty charges was paid by his sister, 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 Abdul Moin, Administrative Judge, Kanpur 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 Kanpur 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.

Meetu Verma A.R.

Hon'ble Mr. Justice Abdul Moin,

Administrative Judge, Kanpur Nagar

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)

