

## **Registratr (J) (Budget)**

May kindly see the application dated 18.10.2023 of Sri Ashok Kumar Singh-VII, District & Sessions Judge, Kushinagar at Padrauna regarding grant of permission to visit Nepal to have darshan of Lord Pashupati Nath there.

In his application, Sri Ashok Kumar Singh-VII has stated that he wants to visit Nepal to have darshan of Lord Pasupati Nath. He has also submitted the following declaration:-

1. There will be no any possibility of arising any dilemma before Government of India or U.P. due to his foreign visit to Nepal.
2. No such request was ever refused to him.
3. He has not visited any foreign country earlier.
4. Date of departure from Kushinagar 21-10-2023 after court hours and return from Nepal 24-10-2023 in the evening.

He has, therefore requested for grant of permission to visit Nepal for the aforesaid duration .

In this connection, it is submitted that in terms of G.O. No.8/12/11/ CX dated 16.3.1971, all Government servants visiting Nepal must take prior permission of the Head of the Department before visiting Nepal and they should enter Nepal territory through some custom check-post and get their luggage cleared by the custom authorities. It is also mentioned in the G.O. that permission to go to Nepal will be given only when Head of the Department is satisfied and the visit of Nepal by the Government servant is necessary and unavoidable. It is also submitted that as per the reports, provided by concerned sections, no departmental/vigilance enquiry is pending against Sri Ashok Kumar Singh-VII. 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 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. Now, in the instant case the officer wants to visit Nepal from 21.10.2023 to 24.10.2023 , there are only one working day is falling. Now, It is on the discretion of the Hon'ble High Court either to grant him permission for the aforesaid visit or to pass any such order which deems to be fit & proper. 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 in 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. Recently, vide order dated 23.04.2023 regarding reconstitution of different Committees, Hon'ble The Chief Justice has been pleased to form a single Hon'ble Judge Committee i.e. Hon'ble Senior Judge (J-1) to deal with the matter of grant of permission to Judicial Officers to visit abroad.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Donadi Ramesh, Administrative Judge, Kushinagar at Padrauna for kind perusal and if His Lordship approves, Sri Ashok Kumar Singh-VII, District & Sessions Judge, Kushinagar at Padrauna may be granted permission to visit Nepal from 21.10.2023 to 24.10.2023 for Darshan of pashupati Nath temple there, as requested, subject to approval by Hon'ble Senior Judge (J-1), as per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017 and order dated 23.04.2023 of Hon'ble The Chief Justice, as mentioned above with the conditions that he

will enter Nepal territory through some custom check-post and get his luggage cleared by Custom Authorities and 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  
Munmun Narang, Section Officer  
Meetu Verma, Assistant Registrar  
Admin A-IV

**Hon'ble Mr. Justice Donadi Ramesh,**

**Administrative Judge, Kushi Nagar**

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)

