

Registrar (Judicial) (Budget)

May kindly see the online application of Dr. Keshav Goyal, A.D.J. (POCSO), Moradabad, regarding grant of permission to visit Turkiye for a courtesy visit and small group discussion in the department of Agriculture Economics, University of Selcuk and to visit Athens (Greece) for tourism from 23.12.2023 to 02.01.2024.

In his application dated 25.10.2023, Dr. Keshav Goyal has stated that he was a research fellow of UGC, before joining the judicial service and also earned a Ph.D. in International law on World Trade Organisation with the prior permission of Hon'ble Court. Besides that he has also studied elementary German and Urdu languages in the University and by keeping in view his academic background and his experience in Judiciary, his college friend Prof. Gous Mashkoor Khan (Founder professor of Trukish language Dept. at JNU, New Delhi.), had recommended his name for a courtesy visit and small group discussion to be held at Selcuk university in Konya (Turkiye). He has also stated that now pursuant to the recommendation of Prof. Gous Mashkoor Khan he has received an invitation to visit Selcuk university in Konya- (Turkiye) (copy can be seen as attachment) and he is keenly looking forward to visit the University during the period mentioned in the invitation letter i.e. from 22 December 2023 to 10 January 2024. After visiting Selcuk University he wishes to visit Athens (Greece) in Schengen Zone preferably by train and he also has a vaild passport and would apply for Visa, as soon as receives the permission from the Hon'ble Court.

He has further added that the Circular Letter No. 16/Ivf-101/Admin(A), Dated 27.05.2017 of Hon'ble Court mandates that Judicial officers won't go abroad on pleasure tours during working days except in special circumstances. Although his proposed tour is not fully a pleasure trip, but he has planned his tour very carefully so that his judicial and administrative work may not get affected adversely and supposes to complete his tour programme during winter vacation i.e. from 24 December 2023 to 31 December 2023 along with 2-3 casual leaves. Moreover, as regards to working days he has stated that a link officer is already designated in the District for every Court to deal with important work in the absence of concerned judicial officer. Regarding the expenditure, the officer has stated that approximate travel cost of his tour would be around Rs. 1,50,000/- as major period during his tour, he would stay at the University guest house, and besides Airfare, he would have to spend bare minimum on other necessities and for the same he has sufficient money in his bank account to bear the expenses of the tour as he has received the pay commission arrear in September, 2023 (copy of passbook can be seen as attachment). Further in the light of Hon'ble High Court's Circular Letter No. 16/Ivf-101/Admin(A), Dated 27.05.2017, he has declared that he has never made any request to visit abroad nor his request to visit abroad has ever been refused earlier and also that by his visit to Turkiye & Greece, no dilemma is likely to occur before the Govt. of India or before the Govt. of U.P. He has also assured that his tour programme in no way would adversely affect the judicial and administrative duties assigned to him and also he would not indulge any such activity which may adversely affect the image/or security of nation. Thereafter, through online objection dated 26.10.2023 the officer has been asked about the exact duration of his visit and in his reply dated 30.10.2023 of the same the officer has clarified that the invitation letter of the Selcuk university has offered to visit the University between 22nd December 2023 to 10th January 2024 but he do not propose to visit the university for the entire period stated in the invitation letter, his likely visit would be from 23.12.2023 to 02.01.2024, thus tentatively he would have to avail the casual leave only for 23 December 2023 and for 1st and 2nd January 2024 as 24th December is Sunday and from 25 December 2023 to 31 December 2023 would be winter holidays. He has, therefore, requested to Hon'ble Court to grant him permission to visit Turkiye and Greece for the aforesaid period.

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 Dr. Keshav Goyal. It is pertinent to mention here that the duration of his visit is from 23.12.2023 to 02.01.2024, which includes fourth Saturday, Sunday, Christmas, winter holidays, alongwith 02-03 working days of the

Hon'ble Court. 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 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 attend the courtesy visit to Selcuk University, Turkiye for a small group discussion there as well as wants to visit Athens (Greece) for tourism. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Moradabad, to grant him permission to visit Turkiye and Athens (Greece) from 23.12.2023 to 02.01.2024 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. 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 Rajeev Misra, Administrative Judge, Moradabad for kind perusal and if His Lordship approves, Dr. Keshav Goyal, A.D.J. (POCSO), Moradabad may be granted permission to visit Turkiye for a courtesy visit and small group discussion in the department of Agriculture Economics, University of Selcuk and to visit Athens (Greece) for tourism from 23.12.2023 to 02.01.2024, as requested, subject to approval by Hon'ble Mr. Justice Manoj Kumar Gupta, 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 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
Munmun Narang, Section Officer
Meetu Verma, Assistant Registrar
Admin A-IV

Hon'ble Mr. Justice Rajeev Misra,

Administrative Judge, Moradabad

Submitted for kind perusal & orders?

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