

Registrar (Judicial) (Budget)

May kindly see the online application of Smt. Nidhi Sagar, Civil Judge (Junior Division), Varanasi regarding grant of permission to visit Thailand alongwith her husband, Sri. Shantanu Singh who is also a judicial officer from 26.12.2023 to 31.12.2023 during winter vacation of 2023.

In her application dated 08.11.2023, Smt. Nidhi Sagar has stated that she is going to get married on 25th November,2023 with Sri Shantanu Singh who is currently posted as Judicial Magistrate at Jaunpur and she has also booked the tickets for post marriage leisure trip for Thailand from 26th December,2023 to 31st December,2023 (Copy of passport can also be seen as attachment).

On receipt of her application, through online communication dated 17.11.2023, the officer has been asked to submit details as per Hon'ble Court's C.L. dated 27.05.2017. In reply of the same, the officer has vide her communication dated 12.12.2023 has submitted the following details/ information/ declaration (as attachment) :-

1. That by her abroad visit, no dilemma is likely to create before Government of India or before the Government of U.P.
2. That such type of request for abroad visit was not refused to her earlier.
3. That since the joining of Judicial Service, she has not visited any foreign country earlier.
4. That she would bear all the expenses of her abroad visit from her salary account.
5. That she will not indulge in any activity which is against the integrity and conduct required to be exhibited by judicial officers.

Subsequently, through online communication dated 13.12.2023, the officer has been asked to clarify her statements as earlier she has stated that the expenditure would be borne out from the saving account of her husband and again in the instant declaration she has mentioned that the same would be borne out from her own salary account. She has also been asked to intimate the estimated expenditure as her husband has stated it to be Rs.1,50,000/- whereas she has stated it to be Rs.1,35,000/- for both and also intimate the source of amount credited in her account on 18.10.2023 i.e. a sum of Rs. 4,06,935/- was credited on that day (copy of the bank statement can be seen as attachment). In reply of the same dated 13.12.2023, the officer has submitted following information:-

- Firstly, the expenditure would be borne out of the salary account of her husband. Instant declaration was typed by her husband and in the same flow, he stated (on her behalf) that the expenditure would be borne out of her salary account which was an error on their part. She hereby confirms that the expenditure would be borne out of salary account of her husband.
- The difference in amount was due to tickets price plus miscellaneous expenses. she hereby confirms that the approximate expenditure of their post marriage leisure trip would be around 1,50,000 rupees. Tickets cost was some where around 1,35,000 rupees and they would be carrying some extra money as emergency which would also be taken by her husband's salary account. Hence they estimated that their expenditure should be around 1,50,000 rupees
- Source of amount credited in her salary account on 18/10/2023 is by Varanasi Treasury and the amount received was arrears of SNJPC as per the Hon'ble Supreme Court Judgement.
- As it is their first international trip, hence the tad bit confusions from their side. They both seek sincere apology for the same and would co-operate in further kind queries from Hon'ble High Court.

It is also to mention here that the officer has also submitted the declaration as per Hon'ble Court's C.L. dated 27.05.2017 on a notarized and signed affidavit as asked by Ld. Registrar (J) (Budget). She has, therefore, requested to grant her permission to visit Thailand for the aforesaid duration.

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, provided by concerned sections no vigilance/ departmental enquiry is pending against Smt. Nidhi Sagar. 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. It is also to mention here that Sri Shantanu Singh has also applied for the same permission and his request is also being processed through case ID S00037032023. In the instant case, the officer is going to visit Thailand alongwith her husband Sri Shantanu Singh in the winter holidays of 2023 i.e. during non-working days of the Court thus her request appears to be considerable. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Varanasi, to grant her permission to visit Thailand from 26.12.2023 to 31.12.2023 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 30.11.2023 relating to re-constitution of Committees, Hon'ble The Acting Chief Justice has been pleased to change the single Judge Committee appearing at sl. no. 3 of the list of Committees dated 23.04.2023- last modified on 29.08.2023, and Hon'ble Mr. Justice Anjani Kumar Mishra is nominated in the said Committee, to deal with the matters relating to grant of permission to Judicial Officers to visit abroad.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Siddhartha Varma, Administrative Judge, Varanasi for kind perusal and if His Lordship approves, Smt. Nidhi Sagar, Civil Judge (Junior Division), Varanasi be granted permission to visit Thailand from 26.12.2023 to 31.12.2023 during winter vacation of 2023; alongwith her husband Sri Shantanu Singh, who is also a Judicial Officer, as requested, subject to approval by single Judge Committee of Hon'ble Mr. Justice Anjani Kumar Mishra, as per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017 and order dated 30.11.2023 of Hon'ble The Acting Chief Justice relating to re-constitution of Committees, as mentioned above with the condition that proper charge of Government records or cash, if any, or any government property with her, may be handed over by her 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-IV

Hon'ble Mr. Justice Siddhartha Varma,
Administrative Judge, Varanasi

Submitted for kind perusal & orders?
Registrar(Judicial)(Budget)