

Registrar(J)(Budget)

May kindly see the online application of Sri Surender Kumar, Registrar (J)(Enquiry), High Court, Prayagraj, by which he has informed about transfer of Ciaz car from his wife to his name.

In his application, the officer has stated that he and his wife have two cars, i.e., Ritz bearing registration no. HR10 R1688 and a Ciaz bearing registration no. HR03 V9513. Both of these cars were registered in the name of his wife. Now, his wife has transferred the Ciaz car bearing registration no. HR03 V9513 to him with her free consent. Furthermore, the officer has submitted copy of 'Registration Certificate' of the Ciaz car (both old & new) along with 'Gift Deed or Consent letter' in this regard as attachment. He has therefore, submitted the information about transfer of car for kind perusal of the Hon'ble Court.

It is further submitted that the relevant Rule 11 of U.P. Government Servant's conduct Rule-1956 relating to gift and, Rule 24 (2) of U.P. Government Servant's conduct Rule-1956 relating to transfer of movable property 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.

24 (2). "A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;

Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority.

It is further submitted that as the car has been transferred by his wife in the name of the officer, it appears to amount to a gift. Thus, there appears to be nothing objectionable as per above mentioned rule.

It is also noteworthy to mention here that normally such type of matters are submitted to Hon'ble the Administrative Judges concerned but as the officer is posted in this Hon'ble Court as Registrar (J) (Enquiry), High Court, Allahabad, as per resolution passed in the meeting of the Hon'ble Administrative Committee held on 12.07.2013, he is under the exclusive control of the Hon'ble The Chief Justice and as such the matter is likely to be placed before Hon'ble The Chief Justice

May, therefore, if approved, the matter may kindly be laid before Hon'ble The Acting Chief Justice, for His Lordship's kind perusal and information under Rule (11) and Rule 24(2) of U.P. Government Servant's Conduct Rules, 1956?

Vipin Yadav R.O

Munmun Narang S.O

Meetu Verma A.R

Hon'ble The Acting Chief Justice

My Lord,

Submitted for His Lordship's
kind perusal & order

Registrar (J) (Budget)

