

Registrar (J) (Budget)

May kindly see the online application received from Sri Surender Kumar, HJS, Registrar (J) (Enquiry), High Court, Allahabad regarding information about acceptance of gift of Rs. 14,60,000/- by his parents-in-law to their daughter (officer's wife).

Sri Surender Kumar in his application has stated that his parents-in-law Sri Satvir Singh Malik and Smt. Bimla Devi R/o House No. 898/30, Vikas Nagar, Sonipat, Haryana has gifted a total sum of Rs. 14,60,000/- to his wife Dr. Sonia, Deputy Excise and Taxation Commissioner, Haryana, Panchkula as a token of love and affection, with their free consent. In pursuance of family settlement held between his wife Dr. Sonia, Deputy Excise and Taxation Commissioner, Haryana, Panchkula and her parents, a flat no. 212, Divya Jyoti Society, Panchkula, was transferred by his wife in the name of her mother Smt. Bimla Devi and in lieu of that they had given her an amount of Rs. 30,00,000/- and an amount of Rs. 10,00,000/- as interest free friendly loan with their free consent (Copy of 'Family Settlement deed and details of transaction of said amount has already been submitted to the Hon'ble High Court vide Case ID no. S00000782020 & seen by Hon'ble Judge). Thereafter, Rs. 2,40,000/- was returned as monthly installment of Rs. 20,000/- from his SBI A/c no. 30257463882 to the SB A/c of his mother-in-law Smt. Bimla Devi. Rs. 7,60,000/- was the outstanding amount from the abovesaid interest free friendly loan. Now, his parents-in-law considering the rise of price of abovesaid flat and out of love and affection towards their beloved daughter, i.e. his wife Dr. Sonia, Deputy Excise and Taxation Commissioner, Haryana, Panchkula, intimated them that they had decided that they did not want to take back the outstanding amount of Rs. 7,60,000/- and also to give another amount of Rs. 7,00,000/- to his wife in love and affection. So, with the free consent of his wife Dr. Sonia, they with their free consent, transferred Rs. 7,00,000/- in his loan A/c no. 39021168961, SBI, Mathura. His wife Dr. Sonia, Deputy Excise and Taxation Commissioner, Haryana, Panchkula, has already intimated about this gift to her department i.e. Excise and Taxation Commissioner, Haryana, Panchkula. It is therefore, requested that the information regarding acceptance of gift money of Rs. 14,60,000/- 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 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, 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 Acting 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) of U.P. Government Servant's Conduct Rules, 1956?

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 (Judicial) (Budget)

