

Registrar (Judicial) Budget

May kindly see the online application of Sri Pawan Kumar Srivastava, Additional District & Sessions Judge, Maharajganj regarding grant of permission to visit Kathmandu, Nepal along with his family from 23.03.2024 to 27.03.2024.

In his application, Sri Pawan Kumar Srivastava has stated that he wishes to visit Kathmandu, Nepal for pilgrimage and recreational purpose along with his family (05 persons) during 20th March, 2024 to 30th March, 2024. Thereafter through online objections, the officer has been asked to submit declaration/ information as per relevant Hon'ble Court's Circular letter dated 27.05.2017. In reply, the officer has submitted his declarations, which are as follows:-

1. He has not sought permission to visit abroad earlier and hence no such permission was ever denied by Hon'ble Court.
2. His visit is not likely to create any dilemma before Government of India or Government of Uttar Pradesh.
3. He would spend on his visit from his own pocket and the visit is entirely personal/ not sponsored by anyone. Estimated expenditure is about Rs. 1,00,000/- (Copy of bank passbook showing balance amount of Rs. 12,31,931/- can be seen as attachment)
4. The proposed visit is planned in Holi Holidays & local holidays. The date of the visit is from 23.03.2024 to 27.03.2024. In the stated duration 23.03.2024 is fourth Saturday, 24.03.2024 is Sunday, 25.03.2024 is Holi Holiday and 26.04.2024 & 27.04.2024 are local holidays at District Court, Maharajganj.

He has, therefore requested to kindly place his application before Hon'ble Court for grant of permission to visit Kathmandu (Nepal) along with his family for the aforesaid period.

In this connection, it is submitted that 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. It is also submitted that as per the reports of concerned sections no departmental/ vigilance enquiry is pending against Sri Pawan Kumar Srivastava. In the instant case the officer wants to go to Kathmandu, Nepal for pilgrimage and recreational purpose alongwith his family from 23.03.2024 to 27.03.2024 and in the stated duration 23.03.2024 is fourth Saturday, 24.03.2024 is Sunday, 25.03.2024 is Holi Holiday and 26.04.2024 & 27.04.2024 are local holidays at District Court, Maharajganj, as stated by the officer i.e. appears to be non working days of the Court. However, It is on the discretion of the Hon'ble High Court either to grant him permission or to pass any such order which deems to be 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 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. Here, it is worth mentioning that during the same time, the District Judge alongwith three Additional District Judges of the same Judgeship have also applied for the same and it appears that they all are going together. All the applications are processed separately on officer's individual e-service portal.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mrs. Justice Sadhna Rani (Thakur), Administrative Judge, Maharajganj for kind perusal and if Her Lordship

approves, Sri Pawan Kumar Srivastava, Additional District & Sessions Judge, Maharajganj may be granted permission to visit Kathmandu, Nepal for pilgrimage and recreational purpose along with his family from 23.03.2024 to 27.03.2024, 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 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
Meetu Verma, Assistant Registrar
Admin A-IV

Hon'ble Mrs. Justice Sadhna Rani (Thakur),
Administrative Judge, Maharajganj

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)

