

Registrar (Judicial) Budget

May kindly see the online application of Smt. Sweta Chandra, Addl. Chief Judicial Magistrate, Gorakhpur regarding grant of permission to visit Kathmandu, Nepal along with her husband Sri Sawan Kumar Vikas from 11.06.2024 to 20.06.2024.

In her application, Smt. Sweta Chandra has stated that she along with his spouse Sri Sawan Kumar Vikas (JO Code UP 2369) wishes to visit Pashupatinath Temple situated at Kathmandu, Nepal between 11th June 2024 to 20th June 2024 during summer break and the approximate estimate of travel and stay expenditure would be Rs. 30,000/- each, calculating to a total expenditure of rupees 60000/- for the travel, stay and return from Nepal. She has also stated that all the expenses of travel would be borne out of her salary (copy of the salary A/c statement, showing balance amount of Rs. 19,74,747/- can be seen as attachment). She has further added that as per the rules and regulations of the country of Nepal there is no requirement of passport or visa for visit and travel in the country. The officer has also submitted her declarations (can be seen under attachments heading 'Affidavit 1 and Affidavit 2'), which are as follows:-

1. By her abroad visit, no dilemma is likely to be created before the Government of India or before the Government of U.P.
2. She had previously applied to visit abroad between 18th November 2017 to 25th November 2017 which was denied on the ground that as per Courts C.L. dated 27.05.2017 for pleasure trips the officer will be permitted to go abroad only during vacations/official holidays (copy of Hon'ble Court's letter can be seen under attachment heading 'Order')
3. Since joining the judicial services, she has not visited any foreign country.

She has, therefore requested to kindly place her application before Hon'ble Court for grant of permission to visit Kathmandu (Nepal) along with her husband 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 Smt. Sweta Chandra. In the instant case the officer wants to go to Kathmandu, Nepal to visit Pashupatinath Temple there alongwith her husband, who is also a Judicial Officer from 11.06.2024 to 20.06.2024 which completely falls in summer vacation, thus, this trip appears to be a pleasure trip which falls during non working days of the Hon'ble Court. However, it is on the discretion of the Hon'ble High Court either to grant her permission or to pass any order which deems to be proper. Here, it is also to point out that her husband, Sri Sawan Kumar Vikas has also separately applied for the same permission, which is also being processed through a separate e-service Id. S00044012024. 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 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 Shekhar B. Saraf, Administrative Judge, Gorakhpur for kind perusal and if His Lordship approves, Smt. Sweta Chandra, Addl. Chief Judicial Magistrate, Gorakhpur may be granted permission to visit Kathmandu, Nepal to visit Pashupatinath Temple there, along with her husband Sri Sawan Kumar Vikas, also a Judicial Officer, from 11.06.2024 to 20.06.2024, 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 she will enter Nepal territory through some custom check-post and get her luggage cleared by Custom Authorities and 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
Munmun Narang
Section Officer
Meetu Verma
Assistant Registrar,
Admin (A-IV)

Hon'ble Mr. Justice Shekhar B. Saraf,

Administrative Judge, Gorakhpur

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)

