

### **Registrar (Judicial) (Budget)**

May kindly see the online application of Sri Deep Kant Mani, A.D.J (POCSO), Bahraich regarding grant of permission to visit Nepal (Kathmandu and Lumbini) along with his family from 10.06.2024 to 19.06.2024.

In his application, Sri Deep Kant Mani has stated that he wants to visit Pashupatinath temple in Kathmandu and Lumbini in Nepal with family for summer vacation (recess) from 10th June 2024 to 19th June 2024. Thereafter through online objections the officer has been asked to submit his declaration and information as per Hon'ble Court's C.L dated 27.05.2017. In reply, the officer has submitted following points:-

1. That there will be no possibility of arising any dilemma before Government of India or U.P. due to his Nepal visit.
2. That he has neither earlier applied for Nepal visit nor the Hon'ble Court has refused such request.
3. That he has earlier visited Nepal in 2008 after taking permission from District Judge, Ghaziabad. He has also added that at that that time there was no such direction from the Hon'ble Court regarding Nepal visit and as the Indian citizens are allowed to visit different states and cities in India, in the same way without the VISA and passport, Indian citizens are also not prohibited from visiting Nepal. He has further added that as the letter through which he has visited Nepal in 2008 is very old, thus he can not make available the same at present and would submit that when he finds the letter.
4. That estimated expenditure in visiting Nepal including fooding, lodging, etc. would be around Rs. 50,000/- and the same would be borne from his salary saving account (however he has just enclosed the index page of his passbook, which can be seen as attachment wherein no balance amount information is available)

He has, therefore requested to kindly grant permission to visit 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 G.O. 1/3/98-Ka-Prasko/1999 dated 14 June 1999, **Head of the department is the only competent authority to approve such request, however the officer has stated that he has earlier visited Nepal in 2008 after taking permission from District Judge, Ghaziabad. He has also added that at that that time there was no such direction from the Hon'ble Court regarding Nepal visit which is not correct.** Moreover he has added that as the citizens are allowed to visit different states and cities in India, in the same way without the VISA and passport , Indian citizens are also not prohibited from visiting Nepal. He has further added that as the letter through which he got permission by District Judge to visit Nepal in 2008 is very old, thus he can not make available the same at present and would submit that when he finds the letter. 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 Deep Kant Mani. In the instant case the officer wants to go to Nepal alongwith his family to visit Lord Pashupati Nath temple there in summer vacation from 10.06.2024 to 19.06.2024 which completely falls in summer vacation i.e. during non working days of the Hon'ble Court. However, it is on the discretion of the Hon'ble High Court either to grant him permission or to pass any 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 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 Raj Beer Singh, Administrative Judge, Bahraich for kind perusal and if His Lordship approves:-

(a) Sri Deep Kant Mani, A.D.J (POCSO), Bahraich may be granted permission to visit Nepal (Kathmandu and Lumbini) alongwith his family from 10.06.2024 to 19.06.2024, 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 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

(b) 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 Raj Beer Singh,**  
**Administrative Judge, Bahraich**

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)