

Registrar (Judicial) Budget

May kindly see the online application of Sri Kuldeep Saxena, District & Sessions Judge, Basti regarding grant of permission to visit Nepal from 24.08.2024 to 26.08.2024.

In his application, Sri Kuldeep Saxena has stated that he wants to visit Nepal on the dates 24th, 25th, and 26th of August 2024 to offer prayers at Samay Mata Mandir, located near Sonauli (Nepal) as well as to visit other nearby places. He has also stated that he plans to travel by his personal car and all necessary travel documents, would be carried along during the journey. He also has around Rs.1,20,000/- in his salary account at Union Bank of India to cover all expenses for this journey. Thereafter through online objection the officer has been asked to submit her 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 his visit to Nepal, will not create any dilemma or issue before the Government of India or the Government of Uttar Pradesh.
2. This is his first request for permission to visit a foreign country. No such request has been made by him earlier, nor has any request been refused.
3. He has not visited any foreign country prior to this. This will be his first visit abroad.

The journey would cover a total distance of approximately 300 km (150 km to and fro), with an estimated maximum expenditure of ₹10,000 to ₹15,000, which includes food and other incidental costs. All expenses would be covered by his personal funds.

He has, therefore requested to grant him permission to visit Nepal 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 Kuldeep Saxena. In the instant case the officer wants to go to Nepal from 24.08.2024 to 26.08.2024 which includes fourth Saturday of District Court, Sunday and Janmashtami holidays respectively i.e. all are non working days, thus, this trip appears to be a religious 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 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 01.07.2024 relating to re-constitution of Committees, Hon'ble The Chief Justice has been pleased to change the single Judge Committee appearing at sl. no. 65 of the list of Committees dated 01.07.2024, 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 Karunesh Singh Pawar, Administrative Judge, Basti for kind perusal and if His Lordship approves, Sri Kuldeep Saxena, District & Sessions Judge, Basti may be granted permission to visit Sonauli (Nepal) and nearby places, 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 01.07.2024 of Hon'ble The 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 (Admin A-IV)
Pooja Agarwal, Section Officer (Admin A-IV)
Arvind Kumar Srivastava, Assistant Registrar (Admin Misc-I)

Hon'ble Mr. Justice Karunesh Singh Pawar,

Administrative Judge, Basti

Submitted for kind perusal and orders?

Registrar (Judicial)(Budget)

20.08.24

