

**J.R.(J) (Budget)**

May kindly see the online application of Sri Vivek Yadav, Additional Civil Judge (Jr. Div.), Farrukhabad regarding information about purchase as well as gifting of Ford Figo Aspire car by his father to the officer, intimated through his application dated 14.07.2020.

The information regarding purchase of car as required under Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 as furnished by the officer is given below:-

1	Date of joining service	13/12/19
2	Present Gross Salary Take home Salary	Rs. 84,388/- Rs. 84,188/-
3	Details of purchases (Moveable property exceeding to value of Rs. 10,000/- and immovable property) made by the officer earlier	None
4	Details of Advance or Loan taken from the High Court.	Nil
5	Details of loan taken from Bank etc.	Nil
6	Details regarding purchase of second hand car.	N.A.
7	(a) Details of the property purchased	New Ford Figo Aspire car purchased on 28.01.2020, allotted reg. no. UP83AZ2436. <b>Note-</b> The said car is stated to have been purchased by the father of the officer, Sri Dhramveer Singh in the name of his son (i.e. officer) as gift (copy of 'Consent letter' of his father as well as invoice has been submitted by the officer as attachment).
	(b) Cost price	Rs. 8,65,000/-
8	Name and address of the seller(s)	Malwa Vehicles Pvt. Ltd., Firozabad.
9	Status of the Seller /Dealer	Regular & reputed
10	Whether the seller is related to the officer in any manner and whether any case against him is pending/decided by the officer.	No

11	Details of source of amount	<p>1. The father of the officer Sri Dharamveer Singh is stated to have transferred an amount of Rs. 8,00,000/- to the officer's A/c no. 36424280467 by cheque no. 197451 on 20.01.2020 as a gift for purchasing the abovementioned car. But while transferring the amount of the car dealer, he has mistakenly transferred the amount of Rs. 5,00,000/- to his uncle Mr. Sanket Kumar bearing A/c no. 11208754837, which has been immediately returned back to the officer's A/c by his uncle through cheque no. 788188 on 27.01.2020 (copy of statement of A/c as well as 'Declaration letter' of his uncle can be seen as attachment). Thus, the amount of Rs. 8,00,000/- is stated to have been paid by his father through cheque no. 197451 on 20.01.2020 through the officer's account as a gift.</p> <p>2. Remaining amount of Rs. 65,000/- has been paid by his father in cash to the car dealer directly towards the booking of car. (copy of consent letter of his father can be seen as attachment).</p> <p><b>Note:</b> Sri Dharamveer Singh (officer's father) has been serving the Nation as a Government Teacher since 1999. His father gave him the amount of Rs. 8,65,000/- for purchasing the car as a gift out of natural love &amp; affection.</p>
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As per direction of Ld. Registrar (J) (Budget) the officer was asked to clearly specify the dates in which debit entries of Rs. 8,65,000/- (total cost price of the car purchased) is made from his bank account. Each entry should be clearly highlighted in the copy of bank account statement uploaded with application.

The officer has submitted his reply upon this that an amount of Rs. 8,00,000/- was transferred to the A/c no. 35365445651 of M/s Malwa Motors in three installments i.e Rs. 3,00,000/- through online transfer, Rs. 2,00,000/- by cheque no. 911089 and Rs. 3,00,000/- by cheque no. 911088 respectively on 27.01.2020 (Copy of statement of A/c can be seen as attachment) and Rs. 65,000/- has been paid by his father in cash to the MALWA MOTORS directly towards the booking of the vehicle.

The relevant rule relating to gift (Rule 11 of the U.P. Government Servant's Conduct (Amendment) Rules, 1998) and relating to transfer of immovable property [Rule-24 (1) of U.P. Government Servant's conduct Rule-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.*

In view of the above, the information so submitted by the officer is likely to be acceptable, as the car has been gifted to him by his father, which is the closest blood relative.

In this connection it is submitted that the Rule-24 (2) of U.P. Government Servants Conduct (Amendment) Rules, 1998 relating to transfer of such item, is as follows: -

*"A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;*

*Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority."*

Under the facts & details mentioned above and as the officer has purchased the car from a regular &

reputed dealer, if approved, the matter may kindly be laid before Hon'ble Mr. Justice Om Prakash-VII, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc. for the District Farrukhabad, for His Lordship's kind perusal and information under Rule 24 (2) U.P. Government Servant's Conduct Rules, 1956?

Munmun Narang R.O.

Mohd. Arshad A.R.

01.07.2021

**Hon'ble Mr. Justice Om Prakash-VII,**

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

