

May kindly see the letter dated 10.06.2010 at flag 'A', received from Sri Mridul Kumar Mishra, Additional Civil Judge (Sr. Div.), Kanpur Nagar, regarding grant of permission to get published a book written by him relating to " उत्तर प्रदेश शहरी भवन (किराये पर देने, किराये तथा बेदखली का विनियमन) अधिनियम 1972 ".

34)

In his letter, Sri Mishra has stated that he has written a book relating to " उत्तर प्रदेश शहरी भवन (किराये पर देने, किराये तथा बेदखली का विनियमन) अधिनियम 1972 " and wants to get it published. He has, therefore, requested that his application may be placed before the Hon'ble Court for grant of necessary permission for the same.

In this connection, it is submitted that such type permission to a Government servant may be accorded subject to the conditions laid down in O.M./ G.O. No. O-3143/ II-B-1968, dated 11.10.1968 (flag 'B') as reproduce below: -

- (1) The book does not bear the imprimatur of Government
- (2) The author's name appears on the first page of the book without his official designation. There may however, be no objection to the official designation to be given on the dust cover where the author is introduced to the public.
- (3) The author gives a statement under his name on the first page of the book or at any other suitable place, that the author's views and comments in the book are entirely the responsibility of the author and Government are in no way concerned with the publication of the book.
- (4) The author should also ensure that the book does not contain any statement of fact or opinion which has any adverse criticism of any current or recent policy or action of the State Government or Central Government or Government of any other state or local authority.
- (5) Government servants can be permitted to accept royalty both in lump sum or on a continuing basis on the sale proceeds of the book written by them, proceeds of the book written by them, provided that if:-
 - (a) (i) the book is written solely with the aid of the knowledge acquired in the course of service; or
 - (ii) the book is a mere compilation of Government rules, regulations or procedures; the author should be required, unless the Governor, by the special order, otherwise directs, to credit to the general revenues one-third of the income if it is in excess of Rs.250.00 or if the income is a recurring one, it is in excess of Rs.250.00 per annum.
 - (b) (i) the book is written with the aid of knowledge acquired by the Government servant in the course of his service, but is not a mere compilation of Government rules, regulations or procedure, but reveals the author's scholarly study of the subject; or
 - (ii) the work neither has nor is likely to have any connection with the author's official position; no part of the income recurring or non-recurring derived by him from the sale proceeds or royalties of the book need be credited to the general revenues.

It is further submitted that it appears to be proper that a copy of the aforesaid O.M./

A

G.O. dated 11.12.1968 may be sent first to the officer with the request to clarify about the position of his request/ case as per conditions/ provisions of the O.M./ G.O. first, so that his request may be considered.

Submitted for kind perusal and seeking approval for the same, as proposed above.

Dr. Tawar
27.09.10

Sumal
27-09-10

B
28/9/10
AR

REGISTRAR (B)
Submitted for kind perusal and orders.

B. Babu
J. R. (M) 20/9/2010

Reg. Gen.
Submitted for kind
perusal and approval
as proposed at A

Be
28.9.2010
Reg (B)

A
Sumal
27.9.10

JR (M)
u

Reg (B)
1-10-10

Sd. Adm. A-4

J.R. (M)
01-10-10

A.K.D.
4-10-10