

Registrar(J) (Budget)

May kindly see the online application of Sri Gyan Prakash Tiwari-II, Addl. District Judge (FTC), Faizabad regarding grant of permission to do/pursue LL.M. Course through correspondence from The Global Open University, Nagaland.

In his application, Sri Tiwari has stated that in order to enhance his knowledge in the field of law, he wants to pursue 2 years Master of Laws Course (LL.M.) from 'The Global Open University, Nagaland' through distance learning programme and as the curriculum is a distance learning programme, hence Study leave is not required for pursuing LL.M. Course from the Global Open University, Nagaland and he can do this L.L.M. course without attending day to day class. He has also stated that the academic session of his LL.M. Course will be 2020-21. The officer has also enclosed prospectus of LL.M. as attachment. He has, therefore, requested for grant of permission to do/ pursue LL.M. Course through distance learning from The Global Open University, Nagaland.

In this connection, it is stated that Sri Tiwari has joined the U.P. Nyayik Sewa on 20.04.2009. There is circular letter dated 4.11.11, which provides that if any Judicial Officer during the course of his Service, requests to pursue higher studies, he has to apply for grant of 'Study Leave' as per rules which will be subject to the discretion of Hon'ble the Chief Justice. In the instant case, the officer has stated that he would not take study leave for the said LL.M. Course, as this is to be done through distance learning mode, his request appears to be considerable. However acceptance of his request is on the discretion of the Court. It is also submitted that a Judicial Officer can be accorded permission to attend academic classes and specialized higher studies in terms of G.O. No.24/1066-Appointment (B) dated 21.08.1967, subject to the following conditions:-

1. *Government work should not suffer in any way.*
2. *The academic classes, if any are held outside office hours.*

3. *No preferential treatment will be given in the matter of leave postings and transfer.*
4. *The permission can be withdrawn without notice if; it is found at any time that the government servant neglects his normal work or that public work suffers, in any way.*

May, therefore, if approved, the instant matter may be laid before Hon'ble the Chief Justice for His Lordship's kind perusal and if His Lordship approves Sri Gyan Prakash Tiwari-II, Addl. District Judge (FTC), Faizabad may be granted permission to do/ pursue the LL.M. Course through distance learning from The Global Open University, Nagaland starting from the academic session 2020-2021 with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by UGC or not as well as without reserving any future claim of the Officer regarding his qualification if the University is not recognised, subject to the conditions mentioned above?

Archana Awasthi
Review Officer
Mohd. Arshad
Assistant Registrar

18.03.2020

Hon'ble Mr. Justice Rakesh Srivastava

Administrative Judge, Faizabad

Submitted for your Lordship's kind perusal and orders?

Registrar(Judicial)(Budget)
13.05.2020