

Joint Registrar (J) (Budget)

May kindly see the online application of Sri Vinod Sharma, Chief Judicial Magistrate, Mau regarding grant of permission for writing books/Articles and their Publication in the Reputed Law Journals & book publications.

In his application, Sri Sharma has stated that he has passed L.L.M., NET & CCC & is interested in writing books/articles in the field of law. He has good knowledge of computers and typing. Writing books/articles will not affect his judicial work. Due to COVID-19 every Saturday & Sunday is a holiday which can be used for writing books/articles. He wants to do his writing work on criminal, civil, juvenile justice, specified relief, Consumer disputes, arbitration, Lok Adalat & free legal service etc. This writing work will benefit the legal practitioner, students of law, people associated with the field of law & society as well, along with this his knowledge base will also increase. Therefore, the officer has requested to place this letter before the Hon'ble Court for granting him permission for writing books/Articles and their Publication.

In this connection, it is submitted that permission to a Government servant to write & publish book may be accorded subject to the conditions laid down in G.O. No. O-3143/ II-B-1968, dated 11.12.1968, as reproduced 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 as Sri Sharma has already submitted declaration that he will abide by the conditions of G.O. no. O-3134/II-B-1968 dated 11.12.1968 of rule 15 of U.P. govt. servant's conduct rules 1956. However, this case is not purely of publication of his own book for market circulation, but the subject matter relates to writing articles and their publication in Reputed Law Journals and book publications, as such, the case requires such declaration and, his case may be considered, but, acceptance of the request of the officer for writing books/Articles and their Publication in the Reputed Law Journals & book publications only is on discretion of the Court.

Under the facts and circumstances, if approved, the file be laid before Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves, Sri Vinod Sharma, Chief Judicial Magistrate, Mau be granted permission for writing books/Articles and their Publication in the Reputed Law Journals & book publications, as requested, subject to the conditions of G.O. No. O-3143/ II-B-1968, dated 11.12.1968?

Munmun Narang R.O.

Mohd. Arshad A.R.

20.01.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar(J)(Budget)

21.01.21