

Dated: 22/07/2024

To,

The Hon'ble Governor
Government of Uttar Pradesh
Lucknow

Through,

The Ld. Registrar General
The Hon'ble High Court of Judicature at Allahabad
Prayagraj

Subject: Notice period in relation to resignation/ request of being relieved from the post of Civil Judge (Junior Division)

Respected Sir/ Madam,

With profound regards, it is most humbly submitted that I joined the Uttar Pradesh Judicial Services on 5th January 2024 vide Hon'ble High Court's notification No. 4/ Admin. (Services)/ 2024. I am presently serving as Additional Civil Judge (Junior Division), Azamgarh.

It is also humbly submitted that during the course of appearing for UP PCS (J) 2022 examination, I had also applied for Civil Services Examination, 2023 conducted by the Union Public Service Commission, New Delhi. After joining the UP Judicial Services, I sought the permission from the Hon'ble Court for appearing in the interview of the Civil Services Examination, 2023. The Hon'ble Court was pleased to grant the NOC (No Objection Certificate) dated 16 February, 2024 [Annexure No. A].

Pursuant thereto, I have been selected in the Civil Services Examination, 2023 after having secured Rank 534 vide the results dated 16 April, 2024. As per the communication received by Lal Bahadur Shastri National Academy of Administration, Mussorie ('LBSNAA'), I am required to join for the foundation course and report to LBSNAA between August 24th and 25th, 2024 [Annexure No. B].

Therefore, I am writing to your Excellency in relation to one month period for resignation and/or relieving from the services as mandated by the Uttar Pradesh Temporary Government Servants (Termination of Service) Rules, 1975. It is most humbly prayed that my one-month notice may kindly be treated from 22nd July, 2024 till 22nd August, 2024. I shall continue to render my services as Additional Civil Judge (Junior Division), Azamgarh during this notice period. Vide my request letter for resignation/ relieving dated 22nd July, 2024

[Annexure No. C], my resignation/ relieving may kindly be treated to be effective from 23rd August, 2024.

I shall be highly obliged for your kind consideration. I am deeply grateful for opportunities and guidance, which I have received in UP Judicial Services. The experience will continue to guide me in my future endeavors. I am thankful to the Judicial Training and Research Institute (JTRI), Lucknow for enlightening the legal acumen in me.

Thanking you!

Yours Sincerely,

Snehil
22/07/2024

Snehil Kunwar Singh

Additional Civil Judge (Junior Division),

Azamgarh

[Annexure No. A]



NO-OBJECTION CERTIFICATE

It is certified that the Hon'ble High Court has 'No Objection', if Sri Snehil Kunwar Singh, Additional Civil Judge (Junior Division), Azamgarh appears in the Interview of Civil Services Examination 2023, conducted by Union Public Service Commission.

Date

Snehil
22/07/2024

Pankaj
14/7/24
(Pankaj Jaiswal)
H.J.S.

Registrar (Judicial) (Budget)
High Court of Judicature at
Allahabad

**Registrar
(Judicial) (Budget)
High Court, Allahabad**

Annexure No. B



S.No. T-11/2/2024-ADM


Azadi Ka
Amrit Mahotsav

Date: 18.07.2024

Shelesh Nawal, IAS
Deputy Director, LBSNAA
& Course Coordinator, 99th Foundation Course

Dear ,

Greetings from the Lal Bahadur Shastri National Academy of Administration, Mussoorie!

As you stand on the threshold of a new chapter in Public services in your lives, I extend my heartfelt congratulations on your hard-earned success in one of the toughest examinations. Your selection for this righteous path signifies not just an achievement, but a calling to embody the spirit of selfless service and unwavering dedication. The Academy congratulates you on this journey of lifelong learning and service to the nation with a lot of hope and warmth.

2. Your journey as Officer Trainees into the realm of governance begins with the Foundation Course, orchestrated by the Lal Bahadur Shastri National Academy of Administration (LBSNAA) in Mussoorie. This cornerstone training program, designed to orient new recruits from various civil services, lays the foundation upon which the career in civil service is built. However, your participation in the course is subject to the service allocation.

3. The 99th Foundation Course (FC) will begin on **August 26th, 2024 (Monday)** and culminate on **November 29th, 2024 (Friday)**. You will be required to report at the Academy a couple of days prior for the completion of joining formalities. Given the likely large number of course participants, the aforementioned processes shall be conducted in a staggered manner over two days (between August 24th and August 25th, 2024) for smaller batches of Officer Trainees. Details of reporting dates and names of those expected to report on the given dates will be posted on the Academy's website in due course.

4. A prerequisite to participate in the 99th Foundation Course is to register for it on the Academy's portal. Please peruse the enclosed instructions to register yourself for the 99th FC. Registration will open on **July 18th** and close on **July 28th, 2024**. Further, please note that at this point, it would suffice to fill in the Descriptive Roll component of the registration form. (Other forms may be filled and documents uploaded post the allocation of service by the Department of Personnel and Training (DoPT), GoI. You are advised to visit <https://www.lbsnaa.gov.in> regularly for further updates. You may also write to us at support.lbsnaa@nic.in for registration related queries).

5. If you wish to seek exemption from the course, you will be required to apply on the same portal (please read registration instructions for details). Further, we are aware that some of you may want to wait for the allocation of service by DoPT to decide whether to register for

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Annexure No. B

the course. Accordingly, the last date for registration i.e. July 28th, 2024 shall be extended if the service allocation list is not released by DoPT till that date. Others may please proceed with registration forthwith and upload documents as required.

6. We are also sharing herewith, documents that will help you understand requirements and expectations from Officer Trainees on different aspects of the Foundation course (The documents will be visible after registration for 99th Foundation Course). Please peruse these documents carefully and fill the registration form -

1. Annexure-I:- About the 99th Foundation Course
2. Annexure-II:- Joining formalities and information
3. Annexure-III: - Clothing, dress code and miscellaneous matters.
4. Annexure-IV:- Subscription of Clubs, Societies and Houses
5. Annexure-V: - Check list for submission of forms/ documents

The Academy is committed to securing a barrier-free and enabling environment for differently abled candidates. Course participants may please contact—support.lbsnaa@nic.in for further communication on the matter.

7. It may also be noted that in addition to registration, a mandatory “Parambh MOOC module” based on selected courses from IGoT is to be completed before 15th August, 2024 and the certificates to be uploaded in Gyan Portal. Please note that this will be part of the final evaluation. Details related to module MOOCs have to be accessed on Gyan Portal.

8. Further, please note that every course participant must carry a personal laptop preloaded with the following applications/ softwares:

- i. Operating System : Windows 10 /11
- ii. MS office : MS Office 2016 or higher version. MS office should not be the starter version. It must include MS Word, MS PowerPoint and MS Excel
- iii. Project Management Software : MS Project 2016

9. The Academy will not be able to provide PCs/laptops for the ICT classes and it is mandatory for course participants to bring their own laptops for ICT classes.

10. Finally, it is important to underscore at the outset that the 99th Foundation Course will be fairly rigorous with substantial academic input, co-curricular and extra curricular activities, field immersions and a plethora of cultural/social/outdoor events densely packed into a tight schedule. Please do not expect the luxury of leisure or time. Also, please attend to pressing commitments or engagements if any, before the commencement of the course, for the 99th FC will be a NO LEAVE course.

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11. The 99th FC at the academy lays special emphasis on conduct and shishtachar of the Officer Trainees. You are advised to go through the shishtachar manual, undertakings and course manual to apprise yourself and prepare yourself according to the desired expectations.

On behalf of the Academy and the Course Team, I wish you the best and look forward to meeting you at the Academy soon.

Yours sincerely,

Snehal
22/07/2024

Shelesh Nawal

(Shelesh Nawal)
Course Coordinator 99th FC

Annexure No. C

Dated: 22/07/2024

To,

The Ld. Registrar General
The Hon'ble High Court of Judicature at Allahabad
Prayagraj

Subject: Resignation/ request of being relieved from the post of Civil Judge (Junior Division)

Respected Sir/ Madam,

With profound regards, it is most humbly submitted that I joined the Uttar Pradesh Judicial Services on 5th January 2024 vide Hon'ble High Court's notification No. 4/ Admin. (Services)/ 2024. I am presently serving as Additional Civil Judge (Junior Division), Azamgarh.

It is also humbly submitted that during the course of appearing for UP PCS (J) 2022 examination, I had also applied for Civil Services Examination, 2023 conducted by the Union Public Service Commission, New Delhi. After joining the UP Judicial Services, I sought the permission from the Hon'ble Court for appearing in the interview of the Civil Services Examination, 2023. The Hon'ble Court was pleased to grant the NOC (No Objection Certificate) dated 16 February, 2024 [Annexure No. A].

Pursuant thereto, I have been selected in the Civil Services Examination, 2023 after having secured Rank 534 vide the results dated 16 April, 2024. As per the communication received by Lal Bahadur Shastri National Academy of Administration, Mussorie ('LBSNAA'), I am required to join for the foundation course and report to LBSNAA between August 24th and 25th, 2024 [Annexure No. B].

Therefore, I am writing to your esteemed self to resign from the UP Judicial Services. I have also written to the Hon'ble Governor, Government of Uttar Pradesh providing details of notice period that is to be served in connection with the resignation.

As my appointment in UP Judicial Services is temporary until absorption, I would also like to bring to the attention of your esteemed self towards grant of over lien over this temporary post. Rule 1(3) of the Uttar Pradesh Temporary Government Servants (Termination of Service) Rules, 1975 bars lien on a permanent post, "They shall apply to all persons holding a civil post in connection with the affairs of Uttar Pradesh and who are under the rule-making control of Governor, but who do not hold a lien on any permanent post under the Government of Uttar Pradesh." (Emphasis supplied). In contradistinction, page 36 of वित्त पथ, 2022 whereby lien/ is defined as per उत्तर प्रदेश राज्य के सरकारी सेवकों की स्थायिकरण नियमावली, 1991, प्रस्तर 3 (छ) as,

Annexure No. C

“‘धारणाधिकार’ का तात्पर्य किसी सरकारी सेवक के किसी नियमित पद को (substantively a regular post) चाहे वे स्थायी हो या अस्थायी, या तो तुरंत या अनुपस्थिति की अवधि की समाप्ति पर, धारण करने का अधिकार या हक से है। (Emphasis supplied); and also page 39 of वित्त पथ, 2022 which mentions, “कार्मिक - 4 अनुभाग की विज्ञप्ति संख्या 1648/ 47 - का - 4-90-48/ 79 दिनांक 7-2-91 द्वारा उत्तर प्रदेश राज्य के सरकारी सेवकों की स्थायिकरण नियमावली प्रकाशित की गयी। इसके अनुसार सेवा शर्तों में अत्यंत महत्वपूर्ण व्यवस्था कर दी गयी कि अस्थायी पद के सापेक्ष भी स्थायिकरण किया जा सकता है तथा उन सेवकों का धारणाधिकार अस्थायी पद पर हो जाएगा। (Emphasis supplied) [Annexure No. C] A perusal of the above cited rules would go on to show that bar of lien under Uttar Pradesh Temporary Government Servants (Termination of Service) Rules, 1975 applies only to permanent post, and not to the temporary post until absorption which I hold at present. In fact, lien over temporary post is permissible.

Therefore, I request that I be kindly relieved from the service with effect from 23rd August, 2024 with grant of lien over the present temporary post. However, in the event the request is not permissible, my resignation be kindly accepted with effect from 23rd August, 2024.

I, therefore, most humbly, pray your good self to place the above request letter before the competent authorities. I shall be highly obliged for your kind consideration. I am deeply grateful for opportunities and guidance, which I have received in UP Judicial Services. The experience will continue to guide me in my future endeavors. I am thankful to the Judicial Training and Research Institute (JTRI), Lucknow for enlightening the legal acumen in me. Thanking you!

Yours Sincerely,

Snehil
22/07/2024

Snehil Kunwar Singh

Additional Civil Judge (Junior Division),

Azamgarh

Annexure No. C



[Annexure No. A]

NO-OBJECTION CERTIFICATE

It is certified that the Hon'ble High Court has 'No Objection', if Sri Snehil Kunwar Singh, Additional Civil Judge (Junior Division), Azamgarh appears in the Interview of Civil Services Examination 2023, conducted by Union Public Service Commission.

Date

Pankaj
14/12/24
(Pankaj Jaiswal)
H.J.S.

Registrar (Judicial) (Budget)
High Court of Judicature at
Allahabad

**Registrar
(Judicial) (Budget)
High Court, Allahabad**

Snehil
22/10/2024

Annexure No. C



S.No. T-11/2/2024-ADM

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Azadi Ka
Amrit Mahotsav

Date: 18.07.2024

Shelesh Nawal, IAS
Deputy Director, LBSNAA
& Course Coordinator, 99th Foundation Course

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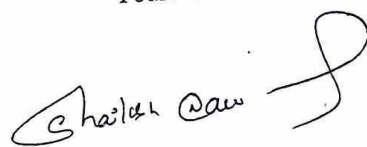
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22/07/2024

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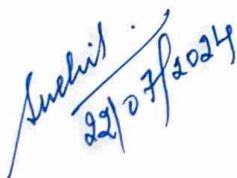
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On behalf of the Academy and the Course Team, I wish you the best and look forward to meeting you at the Academy soon.

Yours sincerely,



(Shelesh Nawal)
Course Coordinator 99th FC


22/07/2024

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[Annexure No. C]



वित्त - पथ

वर्ष 2022 अंक

Snehil
22/07/2024

- (6) मानदेय (Honourarium)– वह आवर्तक या अनावर्तक भुगतान जो किसी सरकारी कर्मचारी को यदाकदा किये जाने वाले किसी विशिष्ट कार्य के लिए उत्तर प्रदेश की संचित निधि या भारत की संचित निधि से पारिश्रमिक के रूप में दिया जाय।
- (7) कार्यभार ग्रहण काल– नये पद पर कार्यभार सँभालने के लिए तथा तैनाती के स्थान तक यात्रा में लगने वाले समय को कार्यभार ग्रहण काल कहते हैं। (मूल नियम 9(9))
- (8) औसत वेतन पर अवकाश– का तात्पर्य औसत वेतन के बराबर अवकाश वेतन पर विनियमित किये गये अवकाश से है। (मूल नियम 9(10))
- (9) अवकाश वेतन– अवकाश वेतन का तात्पर्य अवकाश के विषय में सरकारी कर्मों को सरकार द्वारा किये गये मासिक भुगतान से है। (मूल नियम-9(11))
- (10) धारणाधिकार (Lien)– किसी सरकारी कर्मचारी द्वारा किसी स्थायी पद को मौलिक रूप से धारण करने के अधिकार को धारणाधिकार कहते हैं। इसका तात्पर्य किसी सरकारी कर्मचारी द्वारा किसी स्थायी पद को या तो तुरन्त अथवा उसकी अनुपस्थिति की अवधि या अवधियों के समाप्त होने पर मौलिक रूप से ग्रहण करने के अधिकार से है। इसमें वह सायधि पद (टेन्चोर पोस्ट) भी सम्मिलित है, जिस पर वह मौलिक रूप से नियुक्त किया गया हो। (मूल नियम 9(13))
- उ० प्र० राज्य के सरकारी सेवकों की स्थायीकरण नियमावली, 1991 के प्रस्ताव-3 (छ) के अनुसार 'धारणाधिकार का तात्पर्य किसी सरकारी सेवक के किसी नियमित पद (substantively a regular post) को चाहे वे स्थायी हो या अस्थायी, या तो तुरन्त या अनुपस्थिति की अवधि की समाप्ति पर, धारण करने के अधिकार या हक से है।
- (11) स्थानीय निधि (Local Fund)– ऐसे निकाय जो विधि या विधि के समान प्रभावी नियम के अधीन शासन के नियंत्रणाधीन हो, प्रशासित राजस्व, चाहे वे समान्यतया किसी कार्यवाही या विशिष्ट मामले से सम्बन्धित हों, जैसे उनके आय-व्ययक स्वीकृत करना, किसी विशेष पद को सृजित और उस पर नियुक्ति करना या अवकाश-पेंशन अथवा इसी प्रकार के अन्य नियमों का अधिनियमन; और किसी भी निकाय के ऐसे राजस्व, जिसको सरकार ने विशेष विज्ञापित द्वारा स्थानीय निधि घोषित किया हो। (मूल नियम-9(14))
- (12) लिपिक वर्गीय कर्मचारी (Ministerial Servant)– अधीनस्थ सेवा के वे सरकारी कर्मचारी, जिनकी ड्यूटी पूर्णतया लिपिकीय है तथा किसी दूसरे वर्ग के सरकारी कर्मचारी, जिनको शासन के सामान्य अथवा विशेष आदेश द्वारा इस वर्ग का घोषित कर दिया जाय। (मूल नियम 9(17))
- (13) मास– महीनों तथा दिनों में दी गयी किसी भी अवधि को निकालने के लिये पहले पूरे पूरे माह गिने जाने चाहिए तथा बचे हुए दिनों की संख्या बाद में गिनी जायेगी। (मूल नियम 9(18))
- (14) स्थानापन्न (Officiate)– कोई सरकारी कर्मचारी स्थानापन्न रूप से तब कार्य करता है जब वह उस पद की ड्यूटी करता है जिस पर दूसरे व्यक्ति का धारणाधिकार (लियन) हो। किन्तु यदि सरकार उचित समझे तो वह एक सरकारी कर्मचारी को ऐसे रिक्त पद पर स्थानापन्न रूप से नियुक्त कर सकती है जिस पर किसी दूसरे सरकारी कर्मचारी का धारणाधिकार (लियन) न हो। (मूल नियम 9(19))
- (15) वेतन– यह घनराशि जो सरकारी कर्मों प्रति मास पाता है– (मूल नियम-9(21))

(1) उसकी व्यक्तिगत अर्हताओं को दृष्टिगत रखते हुये स्वीकृत वेतन को छोड़कर जो भी वेतन उस पद के लिए स्वीकृत किया गया हो, जिस पर वह या तो स्थायी या स्थानापन्न रूप से नियुक्त हो और जिसको वह संवर्ग में अपनी स्थिति के कारण पाते हैं।

[Annexure No. C]

वित्त-पथ 2022

- (v) स्थायी या विशेष चिकित्सा परिषद के निर्णय के विरुद्ध अपील करने का कोई अधिकार नहीं होगा परन्तु यदि प्रस्तुत किये गये साक्ष्य के आधार पर शासन संतुष्ट हो कि पहले चिकित्सा परिषद के निर्णय में कुछ त्रुटि की संभावना है, तो शासन को दूसरे मेडिकल बोर्ड के सामने अपील करने की अनुमति देने का अधिकार होगा। (सहायक नियम 15-क)

(ख) सरकारी सेवक का पूर्ण समय सरकार के अधीन :-

(मूल नियम 11)

जब तक कि किसी मामले में स्पष्ट रूप से अन्यथा कोई व्यवस्था न की गयी हो, सरकारी कर्मचारी का पूर्ण समय सरकार के अधीन है और आवश्यकतानुसार सक्षम अधिकारी द्वारा वह किसी प्रकार की सेवा में किसी भी समय लगाया जा सकता है। इसके लिए वह अतिरिक्त पारिश्रमिक के लिए दावा नहीं कर सकता, चाहे उससे जिस भी प्रकार की सेवा ली जाये। मानदेय स्वीकृत करने के आदेशों में इस आशय का उल्लेख करना पडता है कि इस नियम की व्यवस्थाओं को यथावश्यक दृष्टिगत रखते हुए यह मानदेय स्वीकृत किया जा रहा है।

(ग) पद पर नियुक्ति :-

- (i) दो या उससे अधिक सरकारी कर्मचारी एक ही समय में एक ही स्थायी पद पर स्थायी रूप से नियुक्त नहीं किये जा सकते। (मूल नियम 12 (क))
- (ii) केवल अस्थायी प्रवच को छोड़कर कोई सरकारी कर्मचारी दो या उससे अधिक पदों पर एक ही समय में स्थायी रूप से नियुक्त नहीं किया जा सकता। (मूल नियम 12 (ख))
- (iii) किसी सरकारी कर्मचारी को ऐसे पद पर स्थायी रूप से नियुक्त नहीं किया जा सकता जिस पर किसी सरकारी कर्मचारी का धारणाधिकार हो। (मूल नियम 12 (ग))

12-क. जब तक कि किसी मामले में इन नियमों में अन्यथा कोई व्यवस्था न की गयी हो, किसी सरकारी कर्मचारी के किसी स्थायी पद पर स्थायी रूप से नियुक्त होने पर उस पद पर धारणाधिकार (लियन) प्राप्त हो जाता है और दूसरे पद पर उसका पहले से प्राप्त किया हुआ धारणाधिकार समाप्त हो जाता है।

(घ) धारणाधिकार (लियन) संबंधी प्रावधान :-

- (i) कार्मिक-4 अनुभाग की विज्ञप्ति संख्या 1648/47-का-4-90-48/79 दिनांक 7-2-91 द्वारा उत्तर प्रदेश राज्य के सरकारी सेवकों की स्थायीकरण नियमावली 1991 प्रकाशित की गयी। इसके अनुसार सेवा शर्तों में अत्यन्त महत्वपूर्ण व्यवस्था कर दी गयी कि अस्थायी पद के सापेक्ष भी स्थायीकरण किया जा सकता है तथा उन सेवकों का धारणाधिकार अस्थायी पद पर हो जायेगा।

(ii) धारणाधिकार कब तक -

(मूल नियम 13)

जब तक किसी स्थायी पद पर स्थायी रूप से नियुक्त सरकारी कर्मचारी का धारणाधिकार नियम-14 के अन्तर्गत निलम्बित अथवा नियम 14-ख. के अन्तर्गत स्थानान्तरित नहीं कर दिया जाता उस पद पर उसका धारणाधिकार बना रहता है-

(क) जब तक वह उस पद की ड्यूटी करता रहे।

(ख) जब वह याह्य सेवा में हो या किसी अस्थायी पद पर नियुक्त हो या किसी दूसरे पद पर स्थानापन्न रूप से कार्य कर रहा हो।