

Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sri Nazim Akbar, Additional Civil Judge (Junior Division), Muzaffarnagar regarding grant of permission for submission of his Ph.D. thesis, on the topic of "Pharmaceutical Patent in India: A Critical Analysis of the Public and Private Interests" in the supervision of Dr. Alka Chawla, to faculty of Law, University of Delhi.

In his application, Sri Nazim Akbar has submitted that he had been pursuing Ph.D. in Law from the Faculty of Law, University of Delhi since November 11, 2016 i.e. before joining Judicial services and had already completed all the formalities of Ph.D. course and had almost done with the research work of Ph.D. The officer has also stated that he wishes to submit his Ph.D. thesis in near future as it is almost ready and also assured to the Hon'ble High Court that it would not affect, in any manner his judicial work. Thereafter, through online objections, the officer was asked to intimate status of thesis submission, reason for delayed intimation and status of Ph.D. course as well as also status of taking study leave and his declaration regarding no attendance requirement for pursuing Ph.D. In reply the officer has stated that he has not yet submitted his Ph.D. thesis, as he has been waiting for Hon'ble High Court's permission and also stated that after joining the service, he has been sincerely focusing on his training (institutional as well as field) and also working on his Ph.D. on weekends and in spare time (which has not in any way affected judicial work) and when he became certain as to the fact that he is almost done with his thesis, he applied for the permission before the Hon'ble High Court for thesis submission and also stated that he would not be required to take study leave and would submit his Ph.D. thesis by availing Casual Leaves only. The officer has further added that his Ph.D. thesis is not yet completed and before his joining of service in 2019, he has completed two years of residency on November 2018 as per the UGC norms and during the said 2 year residency period he had completed his course work and further intimated that before joining this service he had completed all the requirements of his Ph.D. program and now only thesis submission is pending. He has also enclosed his self declaration that he can pursue and complete his Ph.D. course without attending day to day classes and also enclosed Ph.D. Course work result, Ph.D. joining letter and other related papers of Ph.D. program as attachments. He has, therefore, requested to the Hon'ble High Court to grant him permission for submission of his Ph.D. thesis to University of Delhi.

In this connection, it is stated that the officer has joined the Uttar Pradesh Judicial Service on 15.11.2019. 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 no study leave is required to him and also added that he has already completed his course work prior to his joining and now only thesis submission is left, his request appears to be considerable. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer for submission of Ph.D. thesis or to pass any such order which deems to be proper.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge for His Lordship's kind perusal and if His Lordship approves:-

(a) Sri Nazim Akbar, Additional Civil Judge (Junior Division), Muzaffarnagar be granted permission for submission of Ph.D. thesis, on the topic "Pharmaceutical Patent in India: A Critical Analysis of the Public and Private Interests" in the supervision of Dr. Alka Chawla, to faculty of Law, University of Delhi, as requested.

Or

(b) To pass any other order which His Lordship deem fit and proper .

Archana Awasthi
Review Officer
Mohd. Arshad
Assistant Registrar
10.08.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

