

I/c Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sri Arun Gautam, Additional Civil Judge (Junior Division), Nagina- Bijnor regarding grant of ex-post facto permission for his admission and for completion of online short term certificate course on Forensic Science and Criminology by International Forensic Science Institute, Maharashtra.

In his application, Sri Arun Gautam has stated that he wishes to apply for an online short term certificate course on Forensic Science and Criminology by International Forensic Science Institute, Maharashtra available online, which would be of two months duration from 14th May 2021 and he has also assured that no judicial work would suffer in any way in pursuance of this certificate course. Thereafter through an online objection, the officer was asked to intimate about his status of admission, status of taking study leave, academic session, purpose and his declaration regarding no attendance requirement. In reply the officer has stated that he has taken admission in the course in anticipation of the permission from Hon'ble Court because during the period of the course covid lockdown was in effect and now the course has ended and he has received the short term certificate in Forensic science and criminology (copy can be seen as attachment). He has also stated that the course was a short term certificate course and the International Forensic science institute, Pune conducts no class for the said course either online or offline, thus there is no need to attend the classes of the same and therefore no study leave was required for the same He has further stated that the institute provided study material online for self study and required an Assignment to and the said course and also added that it would be very fruitful to U.P. Nyayik sewa as it would help me in appreciation of evidence in criminal matters. Again, the officer was asked to intimate the reason as to why he has intimated to the Hon'ble High Court about his admission so late i.e. after taking admission in the course. In reply, he has stated that he had intimated the Hon'ble High Court regarding the course on 11.05.2021 and the Covid-19 Lockdown was in force at that time. The last date for the online application was 11.05.2021, therefore he had applied for the Online course in anticipation of permission from Hon'ble High Court. He has, therefore, requested to kindly place her application before the Hon'ble High Court for grant of ex-post facto permission for pursuance/completion of aforesaid course.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 16.12.2019. 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 he is not required to take study leave for the said course. Now the officer has stated that he has taken admission in the said course in anticipation of Hon'ble High Court's permission and has completed the said two months duration online short term certificate course on Forensic Science and Criminology by International Forensic Science Institute, Maharashtra, It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for completing the aforesaid online short term certificate course to the officer 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, Senior Judge (J-1), for His Lordship's kind perusal and if His Lordship approves :-

(a) Sri Arun Gautam, Additional Civil Judge (Junior Division), Nagina-Bijnor may be granted ex-post facto permission for completion of online short term certificate course on Forensic Science and Criminology by International Forensic Science Institute, Maharashtra, with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by University Grants Commission or not and without reserving any future claim of the Officer regarding her qualification if the University is not recognised.

Or

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

Archana Awasthi
Review Officer

Hon'ble Mr. Justice Pritinker Diwaker,

Senior Judge (J-1)

With due reverance, most humbly it is submitted that, in compliance of His Lordship's order dated 20.10.22, office note dated 04.07.2022 is re-submitted for His Lordship's kind perusal & order

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