

## **Joint Registrar (Judicial) (Budget)**

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

In her application, Sushri Annapurna has stated that she 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 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 her status of admission, status of taking study leave, academic session, purpose and her declaration regarding no attendance requirement. In reply the officer has stated that she has applied for the aforesaid course in anticipation of Hon'ble High Court's permission and no study leave is required to her for this Course. The officer has also stated that this short term certification course in Forensic Science would help in the appreciation of forensic evidence in criminal cases and this course is an online short term certificate course of the duration of 2 months which does not require attendance either physical or virtual. The course is concluded by submission of an assignment based on forensic science study material provided for self study on online student portal of the Institute and the Institute does not conduct classes either physical or virtual for the short term certification course. Again as the course is of two months duration only and the officer has applied for the same on 14th May 2021, an online objection was raised asking about the completion status and result of the course and her declaration for no attendance requirement for the course.

In reply the officer has stated that she has completed the online short term certificate course on Forensic Science and Criminology on 14th July, 2021. She has also attached her declaration that she has completed the online Short term certificate course on Forensic Science and Criminology from International Forensic Science Institute, Pune, without attending day to day classes and also enclosed her admission form, mark sheet, certificate and course related papers as attachment. She has, therefore, requested to kindly place her application before the Hon'ble High Court for grant of ex-post facto permission for pursuance 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 her Service, requests to pursue higher studies, she 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 as stated by the officer, she has taken admission in this course in anticipation of Hon'ble High Court's permission and the officer has completed this two months duration online short term certificate course on Forensic Science and Criminology by International Forensic Science Institute, Pune, 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. 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 her normal work or that public work suffers, in any way.

May, therefore, if approved, the instant matter may 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 :-

(a) Sushri Annapurna, Additional Civil Judge (Junior Division), Bijnor may be granted ex-post facto permission for completion of online short term certificate course on Forensic Science and Criminology from International Forensic Science Institute, Pune, 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  
Mohd. Arshad  
Assistant Registrar  
10.08.2021

**Hon'ble Mr. Justice Pritinker Diwaker,**

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

