

## **Registrar (J) (Budget)**

May kindly see the online application of Smt. Anjita Singh Chauhan, Civil Judge (Junior Division) Jalalabad-Shahjahanpur regarding grant of permission to appear in Viva Voce of the Ph.D. Course, topic of which is "Freedom of speech & Expression issues & challenges with special reference to film censorship "A critical Appraisal" from Department of Law, Lucknow University, Lucknow.

In her application Smt. Anjita Singh Chauhan has stated that before the date of joining to the present service, she was a research scholar pursuing Ph.D and had completed all work regarding the completion of Ph.D. i.e course work, Ph.D. thesis submission and added that thesis evaluation by department was also done before but final viva was not done. She has also intimated that by the University faculty she was informed that final viva was scheduled to be held on 18.06.2022. Thereafter as the application of the officer was received on the portal after the date of her viva, thus through online objection, the officer has been asked to intimate about her appearance and also be asked to submit all the relating papers of her Ph.D. completion. In reply, the officer has submitted her course work completion certificate and other relating papers, which can be seen as attachment. Again as the officer has not intimated about her appearance in the stated viva-voce. In reply the officer has stated that she was under impression that she has to apply for permission in case of new admission of a course and as she has completed all other formalities of her course prior to her joining and also she was on maternity leave thus could not get advice from any senior officer, therefore due to this dilemma, she has sent intimation only. Thereafter as she has sent the reply after the lapse of nearly two years, she was again asked to intimate the reason of delay. In reply of the same the officer has stated that she has pursued her Ph.D. from Lucknow University and due to the heavy work load in University and because of the busy schedule of her guide, she could not get the papers on time thus her reply got delayed. She has also added that she has not delayed the reply deliberately and whatever has happened is due to the process and she has also apologised for the same and stated that she would not repeat this mistake in future. She has, therefore, requested to the Hon'ble Court to kindly grant her permission to appear in the Viva Voce Examination of Ph.D. thesis.

In this connection, it is stated that Smt. Anjita Singh Chauhan has joined the U.P. Nyayik Sewa on 18.11.2019. There is circular letter dated 04.11.11, which provides that if any Judicial Officer during the course of his/her service, requests to pursue higher studies, he/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 she has completed all the formalities prior to her joining and has also appeared in the stated viva voce, thus there appears no need of taking any study leave in question. For the delay occurred in reply to the objection, the officer has apologised and stated that she would not repeat this mistake in future. Now, It is on the discretion of the Hon'ble High Court either in order to regularize the matter to grant ex-post facto permission to the officer for her appearance in the viva voce examinations of her Ph.D. thesis 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 his normal work or that public work suffers, in any way.

Recently, vide order dated 01.07.2024 relating to re-constitution of Committees, Hon'ble The Chief Justice has been pleased to change the single Judge Committee appearing at sl. no. 65 of

the list of Committees dated 01.07.2024, and Hon'ble Mr. Justice Anjani Kumar Mishra is nominated in the said Committee, to deal with the matters relating to grant of permission to Judicial Officers to pursue academic course.

May, therefore, if approved, the file may be laid before single Judge Committee of Hon'ble Mr. Justice Anjani Kumar Mishra, as per order dated 01.07.2024 of Hon'ble The Chief Justice relating to re-constitution of Committees, for His Lordship's kind perusal and if His Lordship approves:-

(a) Smt. Anjita Singh Chauhan, Civil Judge (Junior Division) Jalalabad-Shahjahanpur be granted ex-post facto permission for her appearance in Viva Voce of the said Ph.D. Course, topic of which is "Freedom of speech & Expression issues & challenges with special reference to film censorship "A critical Appraisal" from Department of Law, Lucknow University, Lucknow as requested.

Or

To pass any other order, which His Lordship deems fit and proper.

Archana Awasthi

Review Officer

Munmun Naranag

Section Officer

Meetu Verma

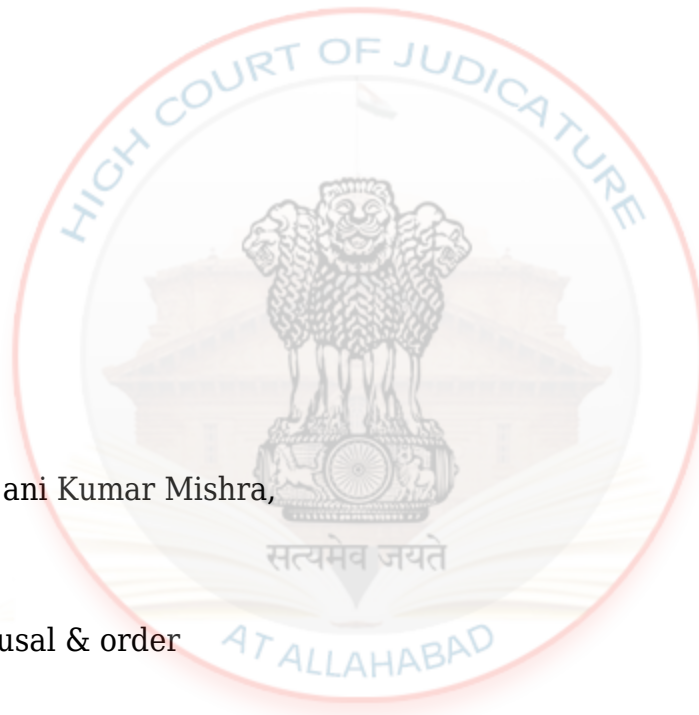
Assistant Registrar

Admin A-IV

Hon'ble Mr. Justice Anjani Kumar Mishra,

Nominated Judge

Submitted for kind perusal & order



Registrar (Judicial) (Budget)