

I/c Joint Registrar (J) (Budget)

May kindly see the online application of Sri Aishwarya Pratap Singh, Additional Chief Judicial Magistrate (Railway), Aligarh regarding grant of permission for publication of Article on the concept of Judicial Impact Assessment.

In his application, the officer has applied for permission for publication of Article in national newspapers or journals. The article discusses the concept of Judicial Impact Assessment which in India which has become the need of the hour for estimating judicial workload resulting from new legislations and determining the additional costs involved in Judge-time and support services. The draft article is attached for kind perusal, titled ***Judicial Impact Assessment: 'An Important Facet of the Institutional Independence of the Judiciary'***.

In this connection, it is submitted that such type of permission may be considered as per sub Rule (2) of Rule 6 of U.P. Government Servants' Conduct Rules 1956, titled Connection with press or radio, which is reproduced as below:-

"No Government servant shall, except with the previous sanction of the Government or any other authority empowered by it in this behalf, or in the bona fide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person, to any newspaper or periodical:

Provided that no such sanction shall be required if such broadcast or such contribution is of a purely literary, artistic or scientific character.

Here, it is also worth seeing the Rule 7 of U.P. Government Servants' Conduct Rules 1956, titled Criticism of Government, which is reproduced as below:-

"No Government servant shall, in any radio broadcast or in any document published anonymously or in his own name, or in the name of any other person, or in any communication to the press, or in any public utterance, make any statement of fact or opinion:

(i) which has the effect of any adverse criticism of any decision of his superior officers, or of any current or recent policy or action of the Uttar Pradesh Government or the Central Government or the Government of any other State or a local authority; or

(ii) which is capable of embarrassing the relation between the Uttar Pradesh Government and the Central Government or the Government of any other State, or

(iii) which is capable of embarrassing the relations between the Central Government and the Government of any foreign State:

Provided that nothing in this rule shall apply to any statement made or views expressed by a Government servant in his official capacity or in due performance of the duties assigned to him."

As such, if the application of the officer is considered, it may be considered subject to the conditions mentioned in Rule 7 of U.P. Government Servants' Conduct Rules 1956.

Under the facts and details mentioned above, if approved, the 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, Sri Aishwarya Pratap Singh, Additional Chief Judicial Magistrate (Railway), Aligarh may be granted permission for publication of his Article on the concept of Judicial Impact Assessment titled ***Judicial Impact Assessment: 'An Important Facet of the Institutional Independence of the Judiciary'*** in national newspapers or journals, as requested, subject to the conditions, as defined in Rule 7 of U.P. Government Servants' Conduct Rules 1956, mentioned above?

Munmun Narang R.O.

Mohd. Arshad A.R., Admin (A-4)

Hon'ble Mr. Justice Pritinker Diwaker,

Senior Judge (J-1)

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)

