

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

May kindly see the online application of Sri Jeetendra Mishra, Additional District & Sessions Judge (POCSO), Mainpuri regarding grant of permission to get publish his draft book entitled 'A Handbook on Local Laws in Uttar Pradesh.'

In his application, Sri Jeetendra Mishra has stated that he has written a book entitled 'A Handbook on Local Laws in Uttar Pradesh' which he wishes to get published. His book proposal is under consideration by Aabkari Times, 485, Mumfordganj, (Opp. Shivaji Park), Allahabad. Moreover, he will be paying royalty on continuous basis at the rate of 25 percent per of sale proceed per book. His draft book is strictly as per the conditions/provisions laid down in the G.O.M.No. 3143/II-B, Dated 11.10.1968 as per Rules 5 and 15 of UP Government Servant Conduct Rules, 1956.

In this connection, it is submitted that such permission to a Government servant may be accorded subject to the conditions laid down in G.O. No. O-3143/ II-B-1968, dated 11.10.1968, as reproduced below: -

- (1) The book does not bear the imprimatur of Government.*
- (2) The author's name appears on the first page of the book without his official designation. There may however, be no objection to the official to be given on the dust cover where the author is introduced to the public.*
- (3) The author gives a statement under his name on the first page of the book or at any other suitable place, that the author's views and comments in the book are entirely the responsibility of the author and Government are in no way concerned with the publication of the book.*
- (4) The author should also ensure that the; book does not contain any statement of fact or opinion which has any adverse criticism of any current or recent policy or action of the State Government or Central Government or Government of any other state or local authority.*
- (5) Government servants can be permitted to accept royalty both in lump sum or on a continuing basis on the sale proceeds of the book written by them, proceeds of the book written by them, provided that if:-*
  - (a) (i) the book is written solely with the aid of the knowledge acquired in the course of service; or*
  - (ii) the book is a mere compilation of Government rules, regulations or procedures; the author should be required, unless the Governor, by the special order, otherwise directs, to credit to the general revenues one-third of the income if it is in excess of Rs.250.00 or if the income is a recurring one, it is in excess of Rs.250.00 per annum.*
  - (b) (i) the book is written with the aid of knowledge acquired by the Government servant in the course of his service, but is not a mere compilation of rules, regulations or procedure, but reveals the author's scholarly study of the subject; or*
  - (ii) the work neither has nor is likely to have any connection with the author's official position; no part of the income recurring or non-recurring derived by him from the sale proceeds or royalties of the book need be credited to the general revenues.*

In the matter, the officer has further submitted following required declarations:-

- (1) The book does not bear the imprimatur of Government.*
- (2) The author's name appears on the first page of the book without his official designation.*
- (3) The author gives a statement under his name on the first page of the book or at any other suitable place, that the author's views and comments in the book are entirely the responsibility of the author and Government are in no way concerned with the publication of the book.*
- (4) The author should also ensure that the; book does not contain any statement of fact or opinion which has any adverse criticism of any current or recent policy or action of the State Government or Central Government or Government of any other state or local authority.*
- (5) The book is neither written solely with the aid of the knowledge acquired nor in the course of service, nor it is not a mere compilation of Government rules, regulations or procedures but reveals the authors literary work and scholarly study of the subject.*
- (6) The work neither has nor is likely to have any connection with the author's official position;*

*no part of the income recurring or unrecurring derived by him from the sale proceeds or royalties of the book need be credited to the general revenues.*

It is further submitted that as Sri Jeetendra Mishra has already submitted declaration that he will abide by the conditions of G.O. no. O-3134/II-B-1968 dated 11.10.1968 of rule 15 of U.P. govt. servant's conduct rules 1956. However, this case is not purely of publication of his own book for market circulation, but the subject matter relates to 'A handbook on local laws in Uttar Pradesh', as such, the case requires such declaration and, his case may be considered, but, acceptance of the request of the officer for writing books and their Publication published by Aabkari Times, 485, Mumfordganj, (Opp. Shivaji Park), Allahabad is only on discretion of the Court. Earlier, vide order dated 23.04.2023 regarding reconstitution of different Committees- Last modified on 29.08.2023, Hon'ble The Chief Justice has been pleased to form a single Hon'ble Judge Committee i.e Hon'ble Senior Judge (J-1) to deal with the matter of grant of permission to get publish book and accordingly, the matter was submitted before Hon'ble Mr. Justice Manoj Kumar Gupta, Hon'ble The Acting Chief Justice/Hon'ble Senior Judge (J-1) for His Lordship's kind perusal and approval. But recently vide order dated 30.11.2023 relating to re-constitution of Committees, Hon'ble The Acting Chief Justice has been pleased to change the single Hon'ble Judge Committee appearing at Sl. no. 3 of the list of Committees dated 23.04.2023-last modified on 29.08.2023, 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 write/get publish books, Articles etc.. In compliance with the order dated 30.11.2023, the matter is reverted to the office and is now likely to be placed before Hon'ble Mr. Justice Anjani Kumar Mishra.

Under the facts and circumstances, if approved, the matter be laid before Hon'ble Mr. Justice Anjani Kumar Mishra, as per order dated 30.11.2023 of Hon'ble The Acting Chief Justice relating to re-constitution of Committees, for His Lordship's kind perusal and approval for grant of permission to Sri Jeetendra Mishra, Additional District & Sessions Judge (POCSO), Mainpuri to get publish his draft book titled 'A Handbook on Local Laws in Uttar Pradesh' by Aabkari Times, 485, Mumfordganj, (Opp. Shivaji Park), Allahabad as requested, subject to the conditions of G.O. No. O-3143/ II-B-1968, dated 11.10.1968?

Munmun Narang S.O.

Meetu Verma A.R.

**Hon'ble Mr. Justice Anjani Kumar Mishra,**

**Nominated Judge**

My Lord,

Submitted for kind perusal & order

Registrar (Judicial) (Budget)