

I/c Joint Registrar (J) (Budget)

May kindly see the online application of Sri Divaker Dwivedi, Joint Registrar (J) (SCMS), High Court, Allahabad regarding grant of permission to publish a Book named "विभागीय कार्यवाही एवं निलंबन "in hindi'

In his application, Sri Divaker Dwivedi has stated that he has written a book named "विभागीय कार्यवाही एवं निलंबन "in hindi.' T-Balaji Publication' publishers are ready to publish his book. He has also annexed copy of letter of the publisher regarding his offer as attachment and declares that he will follow all the guidelines and direction of Hon'ble Court regarding the publication of his book. Thus, he has requested that his application may kindly be laid before the Hon'ble Court for grant of the publication of the aforementioned book.

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 11.12.1968 (flag 'X'), 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 designation 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 Government 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.*

It is further submitted that as the officer has declared that he will follow all the guidelines and direction of Hon'ble Court regarding the publication of his book i.e. he will abide by the relevant rules/ G.O and, in the letter of the Publisher, it is clarified that the Royalty amount will be paid on the basis of books sold till 31st March every year, his case may be considered subject to the conditions laid down in Government O.M. no. O-3134/II-B-1968 dated 11.12.1968 under rule 15 of U.P. Government Servant's conduct rules 1956, however, acceptance of the request of the officer to get his book published is on the discretion of the Hon'ble Court.

Here, it is also submitted that as per the resolution dated 12.07.2013 of Hon'ble the Administrative Committee, the matter is to be submitted before Hon'ble The Chief Justice, as

the officer is presently posted at Hon'ble High Court, Allahabad and under the exclusive control of Hon'ble The Chief Justice.

Under the facts and circumstances, if approved, the matter may be laid before Hon'ble The Chief Justice, for His Lordship's kind perusal and if His Lordship approves, Sri Divaker Dwivedi, Joint Registrar (J) (SCMS), High Court, Allahabad be granted permission to get published his Book named "विभागीय कार्यवाही एवं निलंबन "in hindi" by T. Balaji Publisher, Prayagraj, as requested, subject to the conditions of Government O.M. No. O-3143/ II-B-1968, dated 11.12.1968?

Munmun Narang S.O.

Meetu Verma A.R.

29.04.2023

Hon'ble The Chief Justice,

My Lord,

Submitted for His Lordship's

kind perusal & order

I/c Joint Registrar(J) (Budget)

