

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

May kindly see the online application of Sri Navneet Kumar Bharti, Addl. District & Sessions Judge, Budaun regarding grant of permission to pursue part-time Ph.D. (Law) course from Shri Venkateshwara University, Gajraula, Amroha, Uttar Pradesh.

In his application, the officer has stated that he wishes to pursue part time Ph.D in (Law) from Shri Venkateshwara University, Amroha, Uttar Pradesh. Thereafter through online objection the officer has been asked to intimate the academic session, status of taking study leave and declaration regarding no class requirement. In reply, the officer has stated that he has applied for the academic session 2023-2024 and as this is a part time course, so there is no need to apply for the study leave and he can pursue his judicial work completely without getting absent. He has also declared that there is no need to attend the classes in this course since the same is a part time course. Again as the date of taking admission in the said academic year has been expired, thus the officer has been asked to intimate his status regarding this and also be asked to submit supporting papers from the university regarding no attendance requirement. In reply, the officer has stated that the admission in the academic year 2023 are still on and there would be no requirement of physical appearance in the classes in the concerned part time Ph.D. (Law) course and in this regard, he has also attached a letter , which can be seen under attachment heading 'enc' wherein it is mentioned **that in compliance with the orders issued by Uttar Pradesh State Higher Education Council vide order no 785/SHCEC/53/197 dated 09.05.2023, )copy can be seen as attachment), the University offers course work in online mode. In the aforesaid letter, it is also mentioned that 'It is not mandatory for Ph.D. Scholars to attend classes offline/ physically. The Scholars have the choice to attend classes online.** He has, therefore, requested for grant of permission to pursue the aforesaid part time Ph.D. (Law) programme from the Venkateshwara University.

In this connection, it is stated that Sri Navneet Kumar Bharti has joined the U.P Nyayik Sewa on 23.07.2009. There is circular letter dated 04.11.11, which provides that if any Judicial Officer during the course of his service, requests to pursue higher studies, he 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 as this is a part time Ph.D. course , thus there is no need to take study leave for the same. Now, it is on the discretion of the Hon'ble Court either to grant him permission to pursue the aforesaid part time Ph.d. course from the said University or to pass any other order. 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.

It is further to mention here that recently, vide order dated 23.04.2023 regarding reconstitution of different Committees, 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 Judicial Officers to pursue academic courses.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Surya Prakash Kesarwani, Senior Judge (J-1), for His Lordship's kind perusal and if His Lordship approves :-

(a) Sri Navneet Kumar Bharti, Addl. District & Sessions Judge, Budaun may be granted permission to do/ pursue part time Ph.D. (Law) course for the academic session 2023-2024 from Shri Venkateshwara University, Gajraula, Amroha, Uttar Pradesh with exemption of the requirement to take study leave for the same and without entering into the fact whether the

University is recognised by UGC or not as well as without reserving any future claim of the Officer regarding his qualification if the University is not recognised and also subject to the conditions mentioned in the above noted G.O. dated 21.8.1967 and all other Rules, Regulations, Circulars and Government orders, if any.

Or

(b) to pass any other order which His Lordship deem fit and proper.

Archana Awasthi, Review Officer  
Munmun Narang, Section Officer  
Meetu Verma, Assistant Registrar  
Admin A-IV

**Hon'ble Mr. Justice Surya Prakash Kesarwani,**

**Senior Judge (J-1)**

Submitted for kind perusal & order

Registrar (Judicial) (Budget)

