

Registrar (Judicial) (Budget)

May kindly see the online application dated 05.09.2023 of Dr. Lucky, Special Chief Judicial Magistrate, Prayagraj (Allahabad) regarding grant of permission to pursue Post Graduation course in Master of Journalism and Mass Communication NEP from U.P. Rajarshi Tandon Open University, Prayagraj through distance education.

In her application dated 05.09.2023, Dr. Lucky has stated that he wants to pursue Post Graduation course in Master of Journalism and Mass Communication NEP from U.P. Rajarshi Tandon Open University, Prayagraj through distance education and last date for admission is 30 September 2023 for the admission session 2023-24. Thereafter, through online objections dated 12.09.2023, the officer has been asked to intimate her status of taking study leave, fruitfulness of this course and her declaration regarding no attendance requirement. In his reply dated 14.09.2023, the officer has stated that he wants to pursue this course from open University through distance learning, thus Study leave is not required. He has further stated that no day to day classes would take place and the fruitfulness of this course in Nyayik Sewa is better presentation of facts and better understanding of society. He has also assured that while pursuing the above course judicial work would not be affected. He has also enclosed the prospectus of the said University, which can be seen as attachment. Thereafter again through online objection dated 04.10.2023, as asked by Ld. Registrar (J) (Budget), the officer has been asked to intimate as to whether he has taken admission for the said course as the last date has passed. In reply of the same dated 04.10.2023, the officer has stated that he has not taken admission till now and the last date is extended till 20.10.2023. He has, therefore, requested to grant him permission to pursue the aforesaid course.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 31.05.2013. There is a 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 he wants to pursue this course from open University through distance learning, thus Study leave is not required. He has also added that the purpose of doing this course is better presentation of facts and better understanding of society. Now its upto the discretion of Hon'ble Senior Judge (J-1) either to grant him permission to pursue the aforesaid Post Graduation course 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) Dr. Lucky, Special Chief Judicial Magistrate, Prayagraj (Allahabad) may be granted permission to pursue Post Graduation course in Master of Journalism and Mass Communication NEP from U.P. Rajarshi Tandon Open University, Prayagraj through distance education for the academic session starting from 2023-2024, 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 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 deems 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

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