

Registrar (J) (Budget)

May kindly see the online application of Sri Parashu Ram, Addl. Principal Judge, Family Court, Budaun regarding grant of permission to do/ pursue part-time Ph.D. from Lucknow University.

In his application, Sri Parashu Ram has stated that he wishes to pursue Ph.D (Part Time) course from Lucknow University Lucknow held for the recent session and no judicial work would be hampered from doing the course. Thereafter through online objections, the officer has been asked to intimate about his status of taking study leave, academic session, residential period etc. In reply of the same, the officer has stated that he wants to pursue part time Ph.D. course for the academic session 2023-2024 from Lucknow University, Lucknow and he has not taken study leave yet and as per guideline of Lucknow University he would not require to attend day to day class for the pursuing for part time Ph D. course. He has also added that this part time Ph.D. course would be for a minimum duration of 3 years and maximum of 6 years. As per guideline he would has to stay at the place of research work for period of 90 days during the entire period of Ph.D. course. Therefater again through online objection, the officer has been asked to intimate as to how he would complete the residential period without hampering the Court's work and also be asked to intimate as to whether he wants NOC as mentioned in the realting papers and also be asked to intimate the session as the stated one appears to be expired now. In reply the officer has stated that he wants to pursue part time Ph.D. for the recent academic session 2023-24 of which the launch of the online form on January 2024 and at the present time admission process is continue (relating paper can be seen as attachment). He has further clarified that he would not take study leave for aforesaid course and would manage the residential period through summer holiday, winter vacation and other holidays/leave etc and also assured that no judicial work would be hampered. He has also added that he wants to achieve higher education. He has therefore, requested to grant him 'No Objection Certificate' and permission to pursue the part-time Ph.D. from Lucknow University.

In this connection, it is stated that Sri Parashu Ram has joined the U.P Nyayik Sewa on 21.06.2006. 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 it is part time course, he would not take study leave for doing the aforesaid part time Ph.D. course. He has also stated that he would manage the residential period through summer holiday, winter vacation and other holidays/leave etc and also assured that no judicial work would be hampered. Now, It is on the discretion of the Hon'ble High Court either to issue him 'No Objection Certificate' and grant permission to do/ pursue the part-time Ph.D. in law from Lucknow University or to pass any such order which deems to be proper. 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.

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 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 Judicial Officers to pursue academic course.

May, therefore, if approved, the file may be laid before single Judge Committee of 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 if His Lordship approves:-

(a) Sri Parashu Ram, Addl. Principal Judge, Family Court, Budaun, may be issued 'No Objection Certificate' under the signature of Registrar (Judicial) (Budget) and may be granted permission to do/ pursue part time Ph.D. course from Lucknow University, starting from the academic session 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 and without reserving any future claim of the Officer regarding his qualification if the University is not recognised, subject to the conditions mentioned above.

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 Anjani Kumar Mishra,

Nominated Judge

Submitted for kind perusal & order

Registrar (Judicial) (Budget)

