

Registrar (J) (Budget)

May kindly see the online application of Smt. Shikha Srivastava , Addl. Director (Admin.), Judicial Training & Research Institute, Lucknow regarding grant of permission to pursue part-time Ph.D. (Law) course from Lucknow University.

In her application, the officer has stated that she wishes to pursue part time Ph.D in Law from Lucknow University for session 2024 as per UGC guidelines. She has also stated that this program can be joined by a person who has atleast 5 years of continuous service experience and added that this program shall be for a minimum period of 4 years and maximum period of 8 years. She has further stated that while pursuing this course her official duty would not be adversely effected as no regular classes would be conducted and No Objection Certificate is also required from the head of the institution for this program. Thereafter, through online objection, the officer has been asked to intimate her status of taking study leave and also be asked to furnish information regarding residential period, attendance criterion and papers relating to no class requirement etc. In reply of the same, the officer has uploaded his application form wherein year 2023 is mentioned as academic session alongwith a copy of gazette and letter of the Lucknow University. She has, therefore, requested for grant of permission to pursue the aforesaid part time Ph.D. (Law) programme from the Lucknow University.

In this connection, it is stated that Smt. Shikha Srivastava 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 her service, requests to pursue higher studies, 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 submitted no intimation/ information regarding her status of taking study leave where as the same has been asked to her through online objection. It is also pertinent to mention here that the officer has stated that while pursuing this course her official duty would not be adversely effected as no regular classes would be conducted for this course and also added that No Objection Certificate is also required from the head of the institution for this program but she has submitted no supporting papers relating to no attendance requirement and also has not intimated anything about residential period also. Now, it is on the discretion of the Hon'ble Court either to grant her 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 her 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) Smt. Shikha Srivastava , Addl. Director (Admin.), Judicial Training & Research Institute, Lucknow be issued 'No Objection Certificate ' under the signature of Registrar (Judicial) Budget and also may be granted permission to do/pursue part time Ph.D. in law from Lucknow University starting from the academic session 2024 with exemption of the requirement to take

study leave for the same, without entering into the fact whether the University is recognised by UGC or not and without reserving any future claim of the Officer regarding her qualification if the University is not recognised, subject to the aforementioned conditions.

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)

