

Registrar (J) (Budget)

May kindly see the online application of Sri Paritosh Prakash, Civil Judge (Junior Division) (FTC), Raebareli regarding grant of permission to appear in Viva Voce of the Ph.D. Course, topic of which is "Internet as a Fundamental Right: A Bridge to Reduce the Digital Inequality in India" from Department of Law, School of Legal Studies, Babasaheb Bhimrao Ambedkar University, Lucknow.

In his application Sri Paritosh Prakash has stated that prior to his joining of U.P. Judicial Services, he was a regular student of Ph.D. in the Department of Law, School of Legal Studies, Babasaheb Bhimrao Ambedkar University, Lucknow since 25.11.2020 and had complete the regular attendance of three years as per U.G.C. rules (From 25.11.2020 to 24.11.2023). He has also stated that he had submitted his Ph.D. on 11.12.2023 but was not able to conclude his Ph.D. Viva voce examination because the evaluation report by the external examiners had not come during that period. His Ph.D. thesis entitled "Internet as a Fundamental Right: A Bridge to Reduce the Digital Inequality in India" is ready for defence and Viva Voce Examination and the report by the external examiners has come, and now the University has scheduled his Viva-Voce Examination on 10 May, 2024 at 11.30 A.M in the Department of Law, School of Legal Studies, Babasaheb Bhimrao Ambedkar University, Lucknow. He has further added that he do need only two Casual leaves (if needed) for his Ph.D. Viva-Voce Examination and it would not in any way hamper his field training at District Court Rae Bareli. He has also enclosed the course work completion certificate, thesis submission certificate and other relating papers of his Ph.D. course, which can be seen as attachments. He has, therefore, requested to the Hon'ble Court to kindly grant him permission to appear in the Viva Voce Examination of Ph.D. thesis

In this connection, it is stated that Sri Paritosh Prakash has joined the U.P. Nyayik Sewa on 04.01.2024. 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 he has completed all the formalities prior to his joining and added that he do need only two Casual leaves (if needed) for his Ph.D. Viva-Voce Examination and it would not in any way hamper his field training at District Court Rae Bareli, thus there appears no need of taking any study leave in question and now only the officer has to appear in Viva Voce in order to complete his Ph.D. Program. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to appear in the viva voce examinations of his Ph.D. thesis 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 Paritosh Prakash, Civil Judge (Junior Division) (FTC), Raebareli be granted permission to appear in Viva Voce of the said Ph.D. Course, topic of which is "Internet as a Fundamental

Right: A Bridge to Reduce the Digital Inequality in India” from Department of Law, School of Legal Studies, Babasaheb Bhimrao Ambedkar University, Lucknow as requested.

Or

To pass any other order, which His Lordship deems fit and proper.

Archana Awasthi
Review Officer
Munmun Naranag
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)

