

Registrar (J) (Budget)

May kindly see the online application of Sushri Pratibha Shukla, Judicial Magistrate, Gonda regarding grant of permission to do/ pursue LL.M. course from O.P. Jindal Global University for the academic session 2024-2025.

In her application Smt. Pratibha Shukla has stated that she want to pursue an online LL.M. course on Dispute Resolution from O.P. Jindal Global Law School, powered by upGrad, O.P. Jindal Global University, District Sonipat, Haryana while continuing her Judicial and Administrative work as a Judicial Officer. After careful consideration and research, she has identified the Online LL.M. programme on Dispute Resolution offered by Jindal Global Law School, powered by upGrad, O.P. Jindal Global University, District Sonipat, Haryana as an excellent opportunity to enhance her knowledge and skills in specialized areas of law relevant to her judicial responsibilities. The online format of the course provides the flexibility, she needs to balance her academic pursuits with her Judicial and Administrative work. The LL.M. course on Dispute Resolution offered by O.P. Jindal University, primarily consists of pre-recorded lectures and virtual classes conducted on weekends (relating papers can be seen under attachment heading Page no. 28 of Prospectus'). She has added that there are no day-to-day classes that would interfere with her Judicial and Administrative duties and she would also not take any study leave to complete this course. She has also attached the prospectus, her declaration and other relating papers which can be seen as attachments. She has also assured that her commitment to her judicial duties remains unwavering and her participation in the online LL.M. course does not in any way compromise the quality or timeliness of her Judicial and Administrative work and she is prepared to manage time efficiently and make necessary adjustments to accommodate both responsibilities effectively.

Thereafter through online objection, the officer has been asked to intimate her admission status, academic session, mode of the courses etc.. In reply of the same the officer has stated that she has not started the admission process for LL.M. so far and would start the admission process only after obtaining the due permission from the Hon'ble Court and added that there are no day-to-day classes and for this blended learning course, physical attendance is not needed and only classes on weekends would be done. She has also added that she is intending to take admission for academic session 2024-2025 which would be in virtual mode and is scheduled to be held on weekends, spanning 2-3 hours per week. The entire programme is structured into three trimesters, culminating in a duration of 12 months or one year. About the term blended learning, she has replied that blended learning is an approach to education in which traditional classes are supplemented with technology and learners take advantage of online resources. In the context of LL.M. through blended learning, there would be pre-recorded lectures that would be given to students for each trimester and there would be online classes on weekends through which we can interact in-person with teachers through virtual mode. She has also her declaration, and a list of Universities stated to be Recognised by UGC, in which, at S.No. 280, the name of the above said University is mentioned, which can be seen as attachment. She has, therefore, requested to Hon'ble Court to kindly grant her permission to do/ pursue the stated LL.M. course from the aforesaid university.

In this connection, it is stated that Sushri Pratibha Shukla has joined the U.P. Nyayik Sewa on 15.11.2019. 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 stated that there are no day-to-day classes that would interfere with her Judicial and Administrative duties and she would also not take any study leave to complete this course. She has also stated that there would be pre recorded lectures and online classes on weekends through which they can interact in-person with teachers through virtual mode. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to do/ pursue the aforesaid LL.M. course 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 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) Sushri Pratibha Shukla, Judicial Magistrate, Gonda may be granted permission to do/ pursue online LL.M. course from O.P. Jindal Global University for the academic session 2024-2025, with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by University Grants Commission or not and without reserving any future claim of the Officer regarding her qualification if the University is not recognised, subject to the conditions mentioned above.

Or

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

Archana Awasthi
Review 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)

