

## **Registrar (J) (Budget)**

May kindly see the online application of Sri Nijender Kumar, Additional District & Sessions Judge, Bijnor regarding grant of permission to do/ pursue six months Certificate Course in information technology from IGNOU .

In his application Sri Nijender Kumar has stated that he wants to get registered and pursue 6 months Certificate Course in information technology from IGNOU with Distance /online mode (can be seen in the attachment namely "IGNOU E-Prospectus July 2024" at page 326 ) and while pursuing this course, his Judicial work would not be effected in adverse on his part. Thereafter through online objection, the officer has been asked to intimate his status of taking study leave, admission status and his declaration regarding no class requirement. In reply the officer has stated that no study leave and no physical attendance would be made or taken in this course because this Course is just in the mode of distance learning including online video or offline through evening classes if any. He has also added that he would take casual leave only for exams or other incidental purpose and the admission in the course is from July to December or January to June, so he wants to take admission in this six month course in the July through online mode. He has further stated that all remaining information or intimations if any are there with regard to this course that would be given to the Hon'ble High court in due course and if this course in any way appears to affect his judicial work, he would leave this course. He has, therefore, requested to Hon'ble Court to kindly grant him permission to do/ pursue the stated course from the aforesaid university.

In this connection, it is stated that Sri Nijender Kumar has joined the U.P. Higher Judicial Services on 28.09.2019. 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 no study leave and no physical attendance would be made or taken in this course because this Course is just in the mode of distance learning. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to do/ pursue the aforesaid diploma/ 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 his normal work or that public work suffers, in any way.

Recently, vide order dated 01.07.2024 relating to re-constitution of Committees, Hon'ble The Chief Justice has been pleased to reconstitute the single Judge Committee appearing at sl. no. 65 of the list of Committees 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 01.07.2024 of Hon'ble The Chief Justice relating to re-constitution of Committees, for His Lordship's kind perusal and if His Lordship approves:-

(a) Sri Nijender Kumar, Additional District & Sessions Judge, Bijnor may be granted permission to do/ pursue a six months Certificate Course in information technology from IGNOU through distance /online mode starting from July 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 University Grants Commission 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

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)

