

Joint Registrar (J)(Budget)

May kindly see the online application of Sri Vinod Sharma, Chief Judicial Magistrate, Mau by which he has submitted supplementary details/ papers in connection with grant of permission for writing books/Articles and their Publication in the Reputed Law Journals & book publications.

In his application, Sri Vinod Sharma has stated that he has passed L.L.M., NET & CCC & is interested in writing books/articles in the field of law. He has good knowledge of computers and typing. Writing books/articles will not affect his judicial work. Due to COVID-19 every Saturday & Sunday is a holiday which can be used for writing books/articles. He wants to do his writing work on criminal, civil, juvenile justice, specified relief, Consumer disputes, arbitration, Lok Adalat & free legal service etc. This writing work will benefit the legal practitioner, students of law, people associated with the field of law & society as well, along with this his knowledge base will also increase. The matter was earlier submitted before His Lordship for kind perusal, vide office note dated 25.09.2020, upon which His Lordship has been pleased to following order:-

“Officer concerned to furnish clarification as to whether he wants to write/publish books and articles etc. regularly, as according to his request, it appears that he intends to do writing work on criminal, civil, juvenile justice, specific relief, consumer disputer, arbitration, LokAdalat and free legal service etc.

Officer concerned to furnish name and subject/area of specialization of any Book(s)/Articles already written by him, which is required to be published or is under process and, to also furnish a list of books already written by him.

Registry to also clarify as to whether a judicial officer can be granted permission to write/publish books/articles on continuous basis, as he has been sought by the officer concerned.”

The order was communicated to the officer concerned.

In reply of the Hon'ble Court's order, the officer has online submitted that as requested earlier, he wants to write/publish books and articles etc. regularly, he has great willingness to do writing work on criminal, civil, juvenile justice, specific relief, consumer disputes, arbitration, Lok Adalat and free legal service etc.

He has specialization in The Code of Criminal Procedure, Code of Civil Procedure, Evidence Act, Juvenile justice, specific relief, Lok Adalat and free legal service. He has deep interest in the field of U.P. Revenue code, Consumer Protection Act and Arbitration & Conciliation Act also. **No Book(s)/Article(s) written/published by him in the past but on the Criminal Procedure and Juvenile Justice, the book(s) writing work is the under process. If permission is granted by Hon'ble Court then it may be complete & publish as soon as possible.**

The title of Book and its tentative contents related to Criminal Procedure & Juvenile Justice which is in process of literary work is as follows:-

1. दण्ड प्रक्रिया विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप
2. किशोर न्याय विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप

Therefore, it is humbly requested to the Hon'ble Court to grant kind permission accordingly.

Here, it is to be submitted that as per Rule 6 of U.P. Government Servants' conduct Rules 1956

(1) No Government servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in editing or managing of, any newspaper or other periodical publication.

(2) No Government servant shall, except with the previous sanction of the Government or any other

authority empowered by it in this behalf, or in the bona fide discharge of his duties, participate in a radio broadcast or contribute any article or write any letter, either anonymously or in his own name or in the name of any other person, to any newspaper or periodical:

Provided that no such sanction shall be required if such broadcast or such, contribution is of a purely literary, artistic or scientific character.

It is further submitted that as Sri Vinod Sharma has already submitted declaration that he will abide by the conditions of G.O. no. O-3134/II-B-1968 dated 11.12.1968 and Rule 15 of U.P. Govt. Servant's Conduct Rules 1956. If his case is seen in the light of Rule 6 of U.P. Government Servants' Conduct Rules 1956, he has also to get previous sanction to contribute any article or write any letter, either anonymously or in his own name or in the name of any other person, to any newspaper or periodical. However, there is no such mention in the G.O. dated 11.12.1968 and in the Rule 6, aforesaid that any Government Servant can be granted permission to write/publish books/articles on continuous basis. In the instant case, as also stated by the officer that he is in process of writing two books related to Criminal Procedure and Juvenile Justice, having title "दण्ड प्रक्रिया विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप" and "किशोर न्याय विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप".

As such, under the circumstances, his case/application appears to be considerable for granting permission to publish these books at present, as and when completed. Moreover, if he wants to write/publish books and articles regularly, he may apply for the same in furtherance, when writing work will be completed for a particular book or article.

Under the facts and circumstances, if approved, the file be laid before Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves.

1. Sri Vinod Sharma, Chief Judicial Magistrate, Mau may be granted permission for writing books/publication of books titled "दण्ड प्रक्रिया विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप" and "किशोर न्याय विधि सुसंगत प्रावधान सहित अभिवचन व प्रारूप" related to Criminal Procedure and Juvenile Justice, presently as per his request, subject to the conditions of G.O. no. O-3134/II-B-1968 dated 11.12.1968?

And

2. He may be informed that if he wants to write/publish books and articles regularly, he may apply further, when writing work is completed for a particular book or article, giving necessary details of the same?

Or

3. Any other order, which His Lordship like to pass.

Munmun Narang R.O.

Mohd. Arshad A.R.

16.07.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

