

GAHC010043502023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1621/2023

BIJIT KONWAR
S/O- SHIVA KONWAR, VILLAGE- CHETIA HANDIQUE GAON, P.O.
SILASAKU, P.S. SIMALUGURI, DIST.- SIVASAGAR, ASSAM, PIN- 785686

VERSUS

OIL AND NATURAL GAS CORPORATION LTD AND 5 ORS
REP. BY GM (HR)-IN CHARGE, CORPORATE RECRUITMENT, TEL BHAVAN,
DEHRADUN

2:THE HR-ER
ONGC
ASSAM
ASSET
NAZIRA
DIST.- SIVASAGAR
ASSAM
PIN- 785686

3:THE DIRECTORATE GENERAL OF EMPLOYMENT AND TRAINING
MINISTRY OF LABOUR
GOVERNMENT OF INDIA
NEW DELHI

4:MINISTRY OF SKILL DEVELOPMENT AND ENTREPRENEURSHIP
KUSHAL BHAWAN
B-2
PUSA ROAD
NEAR KAROL BAGH METRO STATION
PILLAR NO.95
NEW DELHI
DELHI- 110001

5:THE REGIONAL DIRECTORATE OF SKILL DEVELOPMENT AND
ENTREPRENEURSHIP
NCR
3RD FLOOR
A WING
NEW CGO COMPLEX
NH-IV
FARIDABAD- 121001 (HARYANA)

6:THE REGIONAL DIRECTORATE OF SKILL DEVELOPMENT AND
ENTREPRENEURSHIP
ASSAM
BSNL BHAWAN
M.N. ROAD
PAN BAZAR
GUWAHATI
ASSA

Advocate for the Petitioner : MR. A R SHOME

Advocate for the Respondent : MR G N SAHEWALLA

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

Date : 03.04.2023

Heard Mr. A. R. Shome, learned counsel for the petitioner. Also heard Mr. G. N. Sahewalla, learned senior counsel assisted by Mr. M. Sahewalla, learned standing counsel, ONGC.

2. This writ petition has been filed by the petitioner apprehending that his candidature for being appointed as Junior Technician (Fitting) issued by ONGC, Green Hills, Tel Bhavan, Dehradun vide advertisement No. 2/2022 (R&P) for recruitment of Non-Executives in ONGC. During the process of submission of his application, petitioner submitted his necessary application supported by National Apprenticeship Certificate

issued by the National Council for Vocational Training under the Ministry of Skill development and Entrepreneurship.

3. The grievance of the petitioner is that he was verbally informed that this certificate is not sufficient to ensure his eligibility and he was informed verbally that clarification is required from the competent authority as to whether the certificate submitted by the petitioner is equivalent to the Trade Certificate, which was sought by the ONGC. For this purpose the ONGC had granted him 20 days time. The petitioner thereafter, submitted the clarification vide Clarification Note dated 17.01.2023, whereby it was clarified that the National Apprenticeship Certificate is sufficient to certify that the petitioner is a certified fitter. However inspite of approaching the ONGC authorities he was not informed as to whether the clarification submitted by him has been accepted. The petitioner apprehends that he will not be permitted to take part in the ensuing selection process. Being aggrieved he has approached this Court by filing the writ petition.

4. On 29.03.2023, when the matter had come up, the learned counsels appearing for the ONGC sought leave of the Court to obtain necessary instructions.

5. Today when the matter is called up, Mr. G.N. Sahewalla, learned senior counsel for the ONGC submits on instructions that the clarification furnished by the petitioner by Clarification Note dated 17.01.2023 has been accepted by the department and the NAC Certificate submitted by the petitioner will be accepted as certificate certifying the qualification of the petitioner as a fitter. Mr. Sahewalla, learned senior counsel therefore submits that this writ petition as on date is premature because the process

of selection is still under way and the petitioner's candidature has not been rejected as on date.

6. Mr. Shome, learned counsel appears for the petitioner submits that his grievance was on the basis of an apprehension that the NAC Certificate submitted by the petitioner will not be accepted by the department, therefore he had approached this court for appropriate orders. However, in view of the submissions made by the learned counsel for the respondent, Mr. Shome, learned counsel for the petitioner submits if that be the case then as on that he has no grievance.

8. In view of the submissions at the bar, this writ petition is closed at this stage, however, petitioner is granted liberty to approach this Court, if any, issue so far survives later.

9. Writ petition is accordingly disposed of in terms of the above.

JUDGE

Comparing Assistant