

CWP-7691-2002**Date of Decision : 10.02.2015**

Jarnail Singh and others

..... Petitioners**Versus**The Secretary, Govt. of Punjab, Technical Education &
Industrial Training Department.**..... Respondents****CORAM HON'BLE MR. JUSTICE K.KANNAN**

- 1. Whether reporters of local newspaper may be allowed to see judgment?**
- 2. To be referred to reporters or not?**
- 3. Whether the judgment should be reported in the digest?**

Present: Mr. Jatinder Kumar Kamboj, Advocate for
Mr. Pradeep Bhandari, Advocate
for the petitioners.

Mr. Ranbir Singh Pathania, DAG, Punjab.

K.Kannan, J (Oral)

The petitioners want a modification in the nomenclature of the provisional certificates issued by the respondents as having completed diploma course in Production and Industrial Engineering. The petitioners have a grievance that the course that they did was Mechanical/Production Engineering and the absence of reference to Mechanical Engineering in the provisional certificates is erroneous. The counsel would make a reference to the several subjects of Mechanical Engineering which the students studied upto their 8th Semester and, therefore, it must be understood that the students studied Mechanical/Production Engineering and that is how the certificates must have been issued. The counsel would also make reference to the

admission notices issued for the Government Polytechnic, Bathinda and which made reference to Mechanical Engineering/Production Engineering and he, therefore, would want the provisional certificates of the Diploma to be awarded with reference to Mechanical Engineering also.

The State would counter this plea by reference to the sanction granted by the Government to the Director of Technical Education and Industrial Training Department Punjab on 01.09.1997 to start diploma courses at different places including the Government Polytechnic, Bathinda with the following courses:-

- a) *Mechanical/Production Engineering Admitting 20 students in each course.*
- b) *It may also be intimated that unemployed graduates engineers can be considered for part time appointment for this purpose.*

Even the application for admission awarded to the students under the signatures of the Principal of the Government Polytechnic had made reference only as under:-

“For admission to 4 years PTD course Production and Industrial Engineering”

The admission notice which was issued for Session 2002-03 also contained only reference to Production and Industrial Engineering with an intake of 20 students for the Government Polytechnic, Bathinda along with the sanction intake of other colleges as well.

A college cannot award a diploma in any course other than that which was sanctioned. The source of the power to conduct a course could only be traced to the Government's memo issued on 01.09.1997

brought through Annexure R-1, the reference to which we have already made above. I notice the cause for some confusion for the students was the publication effected in "The Tribune" had made reference to Mechanical/Production Engineering and perhaps this gave some of the students an understanding that the course itself was designed as a sandwich course offering two courses, Mechanical and Production Engineering. It cannot, however, be understood in that fashion, since the original sanction letter issued by the Punjab government on 01.11.1997 gives a meaning to how it is to be construed by its reference to "admitting 20 students in each course". It is consistent only with the situation that Mechanical Engineering was to be taken independently of Production Engineering, each of which course could have an intake of 20 students. In actual practice, it would appear that the Government Polytechnic Bathinda had no independent intake of 20 students of Mechanical Engineering, although originally sanctioned and the course of admission was only for Production and Industrial Engineering as the letters of admission issued by the Principal to all the students revealed. The provisional certificates issued conforms to what the actual courses were and it would be impermissible to issue certificates as though the students have secured Diploma in both courses of Mechanical and Industrial Engineering. If the reference to Mechanical Engineering were to be of some value by the fact that they had studied Mechanical Engineering also, the petitioners will have only the benefit of disclosing such information to any prospective employe that may test this Mechanical Engineering skills. This by itself cannot compel the Government to issue the certificates in the manner sought for by the

petitioners.

The intervention sought through writ petitions by modifications in the nomenclatures in the certificates is not tenable and it is declined.

The writ petition is, accordingly, dismissed.

(K. KANNAN)
JUDGE

February 10, 2015
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