

\$~25 to 29

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8849/2015

MATA SANTOSH DEVI PRIVATE ITI ..... Petitioner  
Through: Mr. Sanjay Sharawat and Mr. Ratish  
Kumar, Advocates

versus

DIRECTORATE GENERAL OF EMPLOYMENT  
AND TRAINING AND ORS. .... Respondents  
Through: Mr. Nawal Kishore Jha, Advocate for  
R-1 with Mr. Ashok Tyagi, Assistant Director  
Mr. Vikas Chopra, Advocate for R-2  
Mr. Shiv Mangal Sharma, Mr. Ankit Shah and Mr.  
Puneet Parihar, Advocates for R-3

+ W.P.(C) 8908/2015

SHEKHAWATI PRIVATE ITI ..... Petitioner  
Through: Mr. Sanjay Sharawat and Mr. Ratish  
Kumar, Advocates

versus

DIRECTORATE GENERAL OF EMPLOYMENT  
& TRAINING & ORS. .... Respondents  
Through: Mr. J.P. Sharma, Advocate for R-1 with  
Mr. Ashok Tyagi, Assistant Director  
Mr. Vikas Chopra, Advocate for R-2  
Mr. Shiv Mangal Sharma, Mr. Ankit Shah and Mr.  
Puneet Parihar, Advocates for R-3

+ W.P.(C) 8981/2015

VIJAY PRIVATE ITI ..... Petitioner  
Through: Mr. Sanjay Sharawat and Mr. Ratish  
Kumar, Advocates

versus

DIRECTORATE GENERAL OF EMPLOYMENT  
& TRAINING (NABET) & ORS

..... Respondents

Through: Mr. C.M. Goyal, Advocate for R-1 with  
Mr. Ashok Tyagi, Assistant Director  
Mr. Vikas Chopra, Advocate for R-2  
Mr. Shiv Mangal Sharma, Mr. Ankit Shah and Mr.  
Puneet Parihar, Advocates for R-3

+ W.P.(C) 8885/2015

NEW GYAN JYOTI PRIVATE ITI & ANR.

..... Petitioners

Through: Mr. Sanjay Sharawat and Mr. Ratish  
Kumar, Advocates

versus

DIRECTORATE GENERAL OF EMPLOYMENT  
& TRAINING (DGE&T) & ORS.

..... Respondents

Through: Mr. Nawal Kishore Jha, Advocate for  
R-1 with Mr. Ashok Tyagi, Assistant Director  
Mr. Vikas Chopra, Advocate for R-2  
Mr. Shiv Mangal Sharma, Mr. Ankit Shah and Mr.  
Puneet Parihar, Advocates for R-3

+ W.P.(C) 8851/2015

HARSH PRIVATE ITI

..... Petitioner

Through: Mr. Sanjay Sharawat and Mr. Ratish  
Kumar, Advocates

versus

DIRECTORATE GENERAL OF EMPLOYMENT  
& TRAINING & ORS.

..... Respondents

Through: Mr. Nawal Kishore Jha, Advocate for  
R-1 with Mr. Ashok Tyagi, Assistant Director

Mr. Vikas Chopra, Advocate for R-2  
Mr. Shiv Mangal Sharma, Mr. Ankit Shah and Mr.  
Puneet Parihar, Advocates for R-3

**CORAM:**  
**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**  
%  
**24.09.2015**

1. In the order dated 18.09.2015, I had summed up the main grievance of the petitioners herein. For the sake of convenience, the relevant part of the order passed on 18.09.2015 is extracted hereafter :-

“..1. The relief sought by the petitioners is for issuance of a direction qua respondent no. 1 & 2 to grant accreditation/ affiliation qua all the units referred to in their respective applications made in respect of the academic session 2015-2016. The tabular chart referred to hereafter will give the details qua each of the petitioners arrayed as parties in the captioned writ petitions:

| S. N o. | Writ Petition   | Name of Institution                                   | Date of Application      | Units applied for      | Date of Inspection      | Units granted      |
|---------|-----------------|-------------------------------------------------------|--------------------------|------------------------|-------------------------|--------------------|
| 1       | WP(C) 8885/2015 | New Gyan Jyoti Pvt. ITI<br>Shri Brij Krishna Pvt. ITI | 30.05.2014<br>23.11.2014 | 6 (2+2+2)<br>6 (2+2+2) | 12.6.2015<br>17.07.2015 | 2 (1+1)<br>2 (1+1) |
| 2       | WP(C) 8908/2015 | Shekhawati Pvt. ITI                                   | 19.12.2014               | 6 (2+2+2)              | 17.02.2015              | 2 (1+1)            |
| 3       | WP(C) 8981/2015 | Vijay Pvt ITI<br>old ITI                              | 12.04.2014               | 6 (2+2+2)              | 13.12.2014              | 2 (1+1)            |
| 4       | WP(C) 8849/2015 | Mata Santosh Devi ITI<br>Old ITI                      | 30.11.2013               | 8 (2+2+4)              | 29.01.2015              | 2 (1+1)            |
| 5       | WP(C) 8851/2015 | Harsh Pvt. ITI                                        | 29.05.2014               | 12 (4+4+4)             | 03.09.2014              | 2 (1+1)            |

2. It is averred by the petitioners that on 21.07.2015 there was a reversal in policy, based on the input of respondent no.3 i.e. State of

Rajasthan, whereby the accreditation/ affiliation in respect of “electrician trade” was restricted to two (2) units. As would be seen, on a bare perusal of the tabular chart, set out above, each of the petitioners had applied for accreditation/ affiliation for much a larger number of units. They were instead granted accreditation/ affiliation for only two (2) units. I am informed each unit enables creation of 21 seats. Thus reduction in the number of units in “electrician trade” has caused the grievance, which has propelled the petitioners to approach this court.

2.1 According to the learned counsel for the petitioners this policy on restricting accreditation/ affiliation to two (2) units in the “electrician trade” was reversed by respondent no.3 i.e. State of Rajasthan, on 31.08.2015 with respect to applications made prior to 20.01.2015. The reversal of the policy, as per the petitioners, meant that, if otherwise found suitable, the petitioners were entitled to as many units as they had made applications for.

3. It is averred by the petitioners that similarly circumstanced entities, which had approached this court, were considered by the respondents for grant of accreditation/ affiliation. On this count, reference has been made to an order dated 02.09.2015, passed in a batch of writ petitions, the lead petition being: WP(C) No. 4363/2015, titled: ***Shyam Private Industrial Training Institute vs Directorate General of Employment & Training (DGE&T) & Anr.*** This order is appended at pages 45 to 48 of the paper book.

4. Learned counsel for the petitioners also informs me that respondent no.1 has extended the time for admission of students for academic year 2015-2016, at least, on three occasions. Learned counsel for the petitioner states that, in the first instance, the last date for admitting students was fixed as 31.07.2015, which was thereafter postponed to 10.08.2015 and 31.08.2015 and finally to 17.09.2015.

5. Issue notice.

6. Counsels, referred to above, accept notice on behalf of respondent no.1 and 2. In so far as respondent no.3 is concerned, learned counsel for the petitioners says that he will effect service by way of dasti.

7. Learned Counsels for the respondents appearing today, seek a short accommodation to obtain instructions in the matter.

8. List on 22.09.2015...”

1.1. As is evident from the extract set out hereinabove, the matter was thereafter taken up on 22.09.2015. On that date, the counsel for respondent no.3 / State of Rajasthan was directed to take instructions as to whether the said respondent would conduct admissions if, dates for admission were extended by respondent no.1.

2. The learned counsel for respondent no.1 has obtained instructions. The learned counsel says that consistent with its actions in the past, which are reflected in the communication dated 09.09.2015 qua other similarly placed entities, in these cases as well, respondent no.1 will grant affiliation to the petitioners herein as inspections have already been conducted.

2.1 The learned counsel for respondent no.1 says that not only in this case but in all those cases in which applications have been filed prior to 20.01.2015, they would be entitled to seek affiliation from respondent no.1.

2.2 The learned counsel for respondent no.1 says that affiliation will be granted to the petitioners by 10.10.2015, and that dates of admission will be extended till 20.10.2015.

2.3 Accordingly, public notice will be taken out in respect of the same, so that all similarly circumstanced entities can be given the benefit of the concession granted today by respondent no.1. It will be made clear that no entity which approaches beyond the dates given in the public notice will be entertained by respondent no.1 for grant of affiliation. The notice will accordingly be published in print media

and uploaded on the official website with due expedition though not later than 29.09.2015.

2.4 In case extra classes are required to be held to cover up the time lost, suitable steps will be taken by the respondents by interfacing with each other. Directions in this regard will be communicated to the petitioners on or before 20.10.2015.

3. With the aforesaid directions in place, the writ petitions are disposed of.

4. Dasti under the signature of the Court Master.

**RAJIV SHAKDHER, J**

**SEPTEMBER 24, 2015**

yg