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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6894/2017**
SHRI SRISTHI PRIVATE ITI

..... Petitioner

Through Mr.Sanjay Shawarat, Advocate.

versus

DIRECTORATE GENERAL OF TRAINING & ANR

..... Respondents

Through Mr.C.M.Goyal, Advocate for DGT/R-1.

Mr.Sagar Shivam for Mr. Vikas Arora, Advocate for QCI/R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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31.08.2017

1 The petitioner is aggrieved by the letter of rejection dated 25.07.2017 wherein his application seeking accreditation had been rejected by respondent No. 2.

2 Record shows that the Institute of the petitioner was inspected by respondent No. 2 on 18.07.2017. 11 Non-Conformities (NCs) were raised by respondent No. 2 on 19.07.2017 which had to be completed and answered by the petitioner on or before 21.07.2017. The case of the petitioner was rejected on the following 5 NCs which were raised. They read herein as under:-

“1. Building plan was not provided at the point of inspection. Hence the areas inside the ITI cannot be verified. 2. DG set is not present. 3. Resolution regarding premises is not as per prescribed format. 5. Website of ITI is not as per DGT norms.”

3 For the first submission, it is rightly pointed out by the learned counsel for the petitioner that an application for accreditation cannot be submitted without the blue print of the plan being appended along with the said application. Attention has been drawn to the DGT norms on this count; clause 4.3.3.1 of Accreditation Criteria for Industrial Training Institutes which provides that an application can be submitted only along with the blue print. This position is also not in dispute. It is also not in dispute that at the time when the first inspection was carried out in the year 2016, the map of the building was available. Submission of the petitioner is that it is impossible to believe that the building plan of the petitioner Institute was not available on the second visit. Even otherwise, the blue print was already with respondent No. 2. This cannot be denied.

4 This Court finds force in this submission. The building plan already having been filed along with the application of the petitioner, the objection now raised that the building plan is not available appears to be out of context. Moreover, even if the building plan was not there, the area could be measured; although the NC raised by respondent No. 2 is not about the measurement yet presuming that the building plan was not available, it cannot be a case where the assessor team of respondent No. 2 could not take physical measurements at the time of physical inspection. This objection appears to be without any merit.

5 Qua the 2nd objection, a videography has been played. The objection is that DG set is not being installed as per the norms. The

norm has been highlighted by the learned counsel for respondent No. 2; there are various norms for the installation of DG Set; the objection raised was that the changeover switch was not present; play of the videography however satisfies this Court that the DG set did have the change over switch. Moreover the submission of the petitioner that a DG set without over switch would be an incomplete structure is also a submission which cannot be ignored. This objection is without any merit.

6 Qua the 3rd and 4th objection relating to the non-submission of the resolution by the petitioner institute on a letterhead of the ITI; the uploaded documents show that the letterhead of the petitioner had been uploaded. The rejection letter was surfaced on the statement of respondent No. 2 that the self-declaration (qua both the NCs) were not as per the prescribed format; no prescribed format was given; what was the prescribed format was not really known but the resolution regarding premises and self-declaration regarding the BCC clearly shows that all specifics have been met with. This objection being without any specifics and based on generalities is also without any merit.

7 Qua the last NC that the website of the ITI was not available is also an objection which has to be ignored as the learned counsel for the petitioner has highlighted the website page of the petitioner (page 76 of the paper book) wherein the date of finalization of this site evidences it to be 01.03.2016; there is another date of 02.06.2016. The rejection was that the website of the ITI was not available. This

appears to be incorrect as the dates mentioned in the aforementioned document have not been disputed by respondent No. 2.

8 The objections raised by the respondent on all these grounds deserve to be set aside. The case of the petitioner is good on merits. It must be processed in accordance with law and the concerned file thereafter be forwarded to respondent No. 1.

9 Petition disposed of.

INDERMEET KAUR, J

AUGUST 31, 2017

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