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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7207/2017**
DEVNATH BABA PRIVATE ITI Petitioner
Through **Mr.Sanjay Sharawat, Advocate.**
versus
DIRECTORATE GENERAL OF TRAINING & ANR Respondents
Through **Mr.C.M.Goyal and Ms.Meghna**
Rohatgi, Advocates for R-1.
Mr.Sagar Shivam for Mr. Vikas
Chopra, Advocate for QCI/R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **21.08.2017**

Petitioner is aggrieved by the letter of rejection dated 25.07.2017 vide which his application seeking accreditation had been declined by respondent No. 2. Record shows that the institute of the petitioner had been inspected on 16.07.2017. 42 NCs were raised. They had to be cured within three days. Petitioner closed all these NCs by 19.07.2017. His application was rejected on 25.07.2017 on the following three grounds which read herein under as:-

- “1. Ceiling height of classrooms, IT lab can only be verified by physical verification.
2. Experience certificate of Mohd. Rizban is tempered, so not acceptable.
3. Attached rent receipt not acceptable as need signature on revenue stamp.”

Contention of the petitioner is that qua objection No. 1 there is no fixed height of the class rooms; admittedly, the height of the said

class rooms was 8.8 feet it had thereafter been raised to 10 feet. This could have been verified by the respondent through video clip but the petitioner had insisted upon a re-visit. This is incorrect. Qua the second objection, it is pointed out that there is only an overwriting on the experience certificate of Mohd. Rizban (evident from annexure P-3); it has not been tempered with. Qua objection No. 3, the rent receipt has not been accepted only for the reason that it does not bear the revenue stamp, this also cannot be considered as a valid objection.

On advance notice, learned counsel for respondents have put in appearance. For the time being the third objection is not being pressed. Qua the first the objection, it has been pointed out that only 3 of the class rooms out of the total of about 10 class rooms have a height of 8.8 feet; although admittedly there is no written norm that the height of a class room should be 10 feet but the learned counsel for respondent No. 2 points out that this is an unwritten stand and; admittedly all other rooms in the institute have a height of 10 feet except the aforementioned three rooms. These three rooms have a height of 8.8 feet only. The additional submission of respondent No. 2 being that a person with has a height of 6'2" would stand in a room having a height of 8.8 feet, and with a ceiling fan hanging from the aforementioned roof, it would clearly be a case where there would be an interference of the ceiling fan with the head of the individual. This is the reason why this unwritten norm insist upon a classroom having of height of 10 feet and above.

This court notes this submission. This court also notes that out of the 10 class rooms 7 of them fit the norm and have a height of 10 feet and above; only 3 of them do not have the requisite height.

Even presuming that the height of these 3 rooms has been rectified by the petitioner, this can only be verified by a re-visit as this being an infrastructural change cannot be verified from a video clip. Admittedly, on the date when the inspection of the institute was done, the height of three class rooms was below 10 feet. The first objection is thus valid.

Qua the second objection the certificate of Mohd. Rizban (Instructor) reflects that he had worked as a Mechanical Engineer in the company between 03.06.2012 to 02.06.2014. This document was initially dated 25.04.2014. It was brought to the notice of the petitioner that a certificate certifying the experience of Mohd. Rizban up to 02.06.2014 could not have an antedate; it could not be dated 25.04.2014, it was thereafter changed to a date of 25.08.2014. Obviously, the authenticity of the document was in dispute. The first date of 25.04.2014 could not be a typographical error as has been stated by the petitioner; the submission of respondent No. 2 that this document was probably procured and thus not being genuine is a submission which cannot be brushed aside easily. This objection has force.

The third objection need not be dealt into in view of the aforementioned objections which have been held to be valid. Rejection order thus suffers from no infirmity. Petition is without merit.

Dismissed.

INDERMEET KAUR, J

AUGUST 21, 2017 / SU