

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2018

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Cont.P.No.1115 of 2017

1. Kennedy Industrial Training Institute
by its Correspondent
Odapilliyar Kovil (Stop)
Katpadi Main Road,
Vellore - 6,
Vellore District.
2. Thamizhaga Industrial Training Institute
by its Correspondent
Abdullaburam
Vellore - 10
Vellore District.
3. Kamatchi Industrial Training Institute
by its Correspondent
Sekkupettai Saliya Street
Kancheepuram - 631 501
Kancheepuram District.
4. Vinayaka Industrial Training Institute
by its Correspondent
Kullur Santhai Road
Periyavallikulam
Viruthunagar - 626 004. ... Petitioners

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Versus

1. Dr.N.Subbaiyan I.A.S.
The Directorate of Employment & Training,
Guindy,
Chennai - 32.
2. Maheswaran
The Regional Joint Director of
Employment & Training
Chennai Region
Chennai - 32.

3. Rajkumar
The Regional Joint Director of
Employment & Training
Tirunelveli Region
Tirunelveli.

... Respondents

Prayer: Petition filed under Section 11 of the contempt of court Act, 1971 praying to punish the respondents for willful disobeying the orders in W.P.No.22119 of 2016 dated 18.04.2017.

For Petitioners : Mr.S.Kamadevan

For Respondents : Mr.P.H.Aravind Pandian
AAG Asstd. By
Ms.P.Rajalakshmi
Additional Government Pleader

O R D E R

The Contempt Petition has been filed seeking to punish the respondents for willful disobedience of the orders passed by this Court in W.P.No.22119 of 2016 dated 18.04.2017.

सत्यमेव जयते

2. Originally, in the writ petition, the petitioner has sought for a Mandamus directing the respondents to display the names of the petitioners or appellants in the list of eligible Private Industrial Institutes (ITI's) so as to enable the students to exercise their option at the time of District Wise Counseling for the academic year 2016-2017. Subsequently, the said prayer was amended on

petitioners indicating all the affiliated trades of NCVT Course in the list of eligible Private Industrial Institutes during District Wise Counseling and consequently, to reimburse the annual training cost payable in terms of G.O.M.S.No.115, Labour & Employment Department dated 19.07.2012."

3. This Court has passed an order on 18.04.2017 directing the respondents to display the names of the petitioners indicating all the affiliated trades of NCVT course in the list of eligible Private Industrial Institutes during District Wise Counseling and consequently, to reimburse the annual training cost at the rate of Rs.10,000/- per trainee, per year, in rural areas and Rs.12,000/- per trainee, per year in urban areas in terms of G.O.M.S.No.115, Labour & Employment Department, dated 19.07.2012.

4. Now, the grievance of the petitioners is that the order of this Court dated 18.04.2017 in W.P.No.22119 of 2016 has not been complied with.

5. Mr.P.H.Aravind Pandian, learned Additional Advocate General, assisted by Ms.P.Rajalakshmi, on behalf of the respondents contended that originally the prayer was sought only for the academic year 2016-2017 and

subsequently, it was amended as indicated above for the academic year 2017-2018. The orders of this Court had been complied with.

6. Be that as it may. It is pointed out by the learned Additional Advocate General that in G.O.M.S.No.115 Labour & Employment Department dated 19.07.2012, the scheme prescribes certain guidelines to be implemented as provided in Annexure I. In Clause 4 (iii) of G.O, it is stated that the permission can also be accorded to the Director of Employment and Training on following certain procedures. Clause 4 (iii) (1) says to instruct the private ITIs to surrender the Government Quota seats to the Department and to fill up through District Counseling and clause 4 (iii) (2) enables the Director of Employment and Training to receive applications from Private ITIs in the prescribed format and process it, conduct evaluation study, select the institute and include it for counseling and so on.

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7. However, these instructions for the implementation of the scheme do not seem to have any time frame. Regarding the ITI Course, which is a time bound one, the beneficiaries also should know the date/month when the procedure commences. It would be advantageous to the students/poor students, who are beneficiaries of the above

scheme under the said G.O, if the respondents can appropriately indicate the time frame for each of the procedure, viz., instructions to the private ITIs to surrender the Government Quota seats before a definite cut off date and to receive applications from Private ITIs in the prescribed format and process it and evaluate before the particular cut off date etc.

8. Accordingly, while closing the Contempt Petition as complied with, the respondents are given the above directions to appropriately indicate the time frame for each of the procedure in the said G.O.M.S.No.115 Labour & Employment Department dated 19.07.2012. No costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

srn

//Certified to be true copy//

Dated at Madras this the day of 2018.

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COURT OFFICER (O.S.)

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one cc to the Government Pleader, SR.No.3243.
<https://hcservices.ecourts.gov.in/hcservices/>

One cc to Mr.S. Kamadevan, SR,No.3125.