

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26186 of 2014
Date of Decision: 23.04.2018

Hari Dutt Sharma

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.
Ms. Shruti Jain Goyal, AAG Haryana.

RAJIV NARAIN RAINA, J. (Oral)

It is more than apparent on reading paragraph No. 3 of the written statement that the petitioner is not qualified and was inadvertently selected for the post of Fitter Instructor. The petitioner possesses the ITI certificate in Diesel Mechanic and Diploma course in Automobile Engineering whereas as per the Industrial Training Department, Haryana Field Officers (Group C) Service Rules, 2013 the qualification for the post of Fitter Instructor is as under:

(i) AICTE recognized Bachelor degree in Engineering/Technology or its equivalent in relevant trade as per appendix BI, from AICTE recognized institution/University of Institution established by Ministry of Human Resource Development (MHRD), Government of India, on full time regular mode basis.

OR

(ii) Diploma in Engineering or its equivalent in relevant

trade as per appendix B-I from Haryana State Board of Technical Education with two years practical/teaching experience.

OR

(iii) National Trade Certificate/National Apprenticeship certificate in relevant trade as per appendix B-I with Crafts Instructor Training Course (CITC) in relevant trade with five years practical/teaching experience including training period.

(iv) Hindi/Sanskrit up to Metric Standard of higher education.

Note: Preference shall be given to candidate possessing of Craft Instructor Training Course in relevant trade of P.O.T. Course from NCVT/DGE&T, Govt. of India recognized institutions.

It is pertinent to mention here that as per Appendix BI of the Industrial Training Department, Haryana Field Offices (Group C) Service Rules, 2013 the relevant trade for the post of Fitter are as under:

(i) Mechanical

(ii) Production

(iii) Industrial

(iv) Fabrication

Any candidate to be eligible for the post of Fitter must have the requisite qualification as per service rules in the above mentioned trades only.

The oversight in the selection was discovered after the appointment was offered but before the petitioner was allowed to join the post. The stand of the State in paragraph No. 6 of the written statement is that the petitioner has placed reliance on letter dated 03.11.2014 (Annex. P-14) to substantiate his claim and in this regard it is averred that the letter is fake and forged and it has been prepared by the petitioner to get undue benefit. Respondent No.2, namely, the Directorate of Industrial Training Institute, Haryana has never issued such letter to the 4th respondent i.e. the Principal, Govt. Industrial Training Institute, Hathin District Palwal. No replication has been filed to the written statement. Moreover, the petitioner had appeared in person on 14.02.2017 before this Court but had not raise his voice so far, which confirms the position explained in the written statement that the petitioner is not in a position to controvert the statement. In view of the stand taken by the State in the written statement, this petition is dismissed.

(RAJIV NARAIN RAINA)
JUDGE

23.04.2018

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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*