

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 8951 of 2015 (O&M)
Date of Decision: 05.10.2018**

Pawan Kumar and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Nitin Kamboj, Advocate for
Mr. Munish Mittal, Advocate
for the petitioners.

Mr. Arun Beniwal, Deputy Advocate General, Haryana
for the respondents/State.

JASWANT SINGH, J.

1. The instant petition under Article 226 and 227 of the Constitution of India has been filed seeking writ of mandamus directing the respondent Authorities to issue certificate to the petitioners to the effect that Vocational Courses are equivalent to courses imparted under ITI.

2. The petitioners, namely, Pawan Kumar, Satish Badhana and Sandeep passed vocational course after completing their Matriculation exam and at present they are working with Uttar Haryana Vidyut Vitran Nigam (UHBVN). The Financial Commissioner-cum-Secretary, Haryana vide letter dated 15.05.2008 (**Annexure P-4**) clarified that courses which are running in the Vocational Educational Institute are equivalent to courses running under ITI. The said letter was withdrawn vide letter dated 12.07.2011 (**Annexure P-5**).

3. The petitioners appeared and cleared written test conducted by Jaipur Vidyut Vitran Nigam Ltd. who asked petitioners to submit certificate to the effect that vocational courses are equivalent to ITI courses. The petitioners approached Director, Department of Industrial Training and Vocational Educational, Haryana to issue certificate to the effect that vocational courses are equivalent to ITI courses.

4. The respondent in its reply has contended that State Government has already withdrawn letter dated 15.05.2008 (**P-4**) so there is no justification to claim that vocational courses are equivalent to courses imparted by ITI. The Director General Employment and Training (DGE&T), Govt. of India, vide letter dated 21.08.2015 (**Annexure R-II**) has clarified that State Government is not empowered to declare vocational courses equivalent to any other course run by State Government and 10+2 vocation course certificate cannot be declared equivalent to NTC Certificate.

5. After having scrutinized record of the case and hearing arguments of both the counsels, this Court is of the considered opinion that present petition is bereft of merits and deserves to be dismissed. The petitioners have claimed that State of Haryana is considering Vocational Courses imparted by Vocational Education Institutes under Vocational Education Scheme equivalent to ITI courses even though other States are not considering these courses equivalent to ITI courses. The State Government vide letter dated 12.07.2011 (**P-5**) has already withdrawn its earlier letter dated 15.05.2008 (**P-4**) and Central Government has also clarified that vocational courses cannot be treated equivalent to courses run by ITI. The petitioners have failed to show any basis of their claim including

be concluded that vocational courses are equivalent to courses imparted by ITI. In the absence of any statutory provision or any binding precedent to support claim of the petitioners, this Court finds unable to consider claim of the petitioners and direct respondents to issue certificate to the effect that vocational courses are equivalent to courses run by ITI. Even otherwise this Court has no authority to direct State Government to treat any course equivalent to any other course unless and until there is some statutory backing or violation of fundamental rights of citizen of India.

In view of aforesaid findings, this Court finds no merit in the present petition, and accordingly same is **dismissed**.

October 05, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>