

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No.2895 of 2012**

Ravindra Kumar Yadav, aged about 44 yrs. S/o Late Shri Santi Lal Yadav, Associate Professor, Mechanical Engg. Dept., NIT, Raipur (CG)

----- **Petitioner**

Versus

1. Director, National Institute of Technology (NIT), Through its Registrar, G.E. Road, Raipur (CG)
2. State of Chhattisgarh, Through its Secretary, Higher Education, Man-Power, Science and Technology Deptt. Mantralay at D.K.S. Bhawan, Raipur (CG)
3. Director, Directorate of Technical Education, Govt. Women Polytechnic Campus, Byron Bazaar, Raipur (CG)

----- **Respondents**

For Petitioner	: Mr. Tanmay Thomas, Advocate
For Respondent No.1	: Mr. Prateek Sharma, Advocate
For Respondents No.2&3	: Mr. Siddharth Dubey, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board (Through Video Inferencing)

1.9.2021

1. Mr. Tanmay Thomas, learned counsel for the petitioner, would submit that though the petitioner has been granted selection grade on the post of Lecturer w.e.f. 9.10.2005, whereas he was entitled for selection grade w.e.f. 18.10.2004, therefore, direction be issued to respondent No.1 for grant of selection grade on the post of Lecturer w.e.f. 18.10.2004.
2. On the other hand, Mr. Prateek Sharma, learned counsel for respondent No.1, would submit that as per clause 1.6 (ii) of All India Council for Technical Education (hereinafter called as 'AICTE') guidelines, for Lecturer

(Senior Scale) to Lecturer (Selection Grade)/Assistant Professor, summer/winter school courses of total duration of 4 weeks was compulsory, which the petitioner has completed on 8.10.2005 and thereafter selection grade on the post of Lecturer w.e.f. 9.10.2005 has been given to him. He would further submit that the petitioner's representation has also been rejected by order dated 20.4.2012 (Annexure P-15), which is strictly in accordance with law.

3. I have heard learned counsel for the parties, considered their rival submissions made hereinabove and also went through the records with utmost circumspection.
4. It is not in dispute that the petitioner has been granted selection grade w.e.f. 9.10.2005, whereas he is claiming selection grade w.e.f. 18.10.2004. Copy of clarification pertaining to Pay Scales and Service Conditions for teachers of Degree/Diploma level Technical Institutions has been issued by All India Council for Technical Education on 10.9.2003 (Annexure P-7) in which clause 1.6(ii) provides that for Lecturer (Senior Scale) to Lecturer (Selection Grade)/Assistant Professor, summer/winter school courses of total duration of 4 weeks would be compulsory. Order dated 20.4.2012 (Annexure P-15) would clearly show that the petitioner has completed said training on 8.10.2005 and thereafter he has been given selection grade w.e.f.

9.10.2005 and therefore, his representation has been rejected.

5. Completion of four weeks training is compulsory as per AICTE guidelines, which the petitioner has completed on 8.10.2005 and thereafter he has been given selection grade w.e.f. 9.10.2005, which is strictly in accordance with law.

6. The contention of learned counsel for the petitioner that he has completed the said training for a period of five days in two installments would not fulfill the requirement and four weeks training would be compulsory and therefore, his representation has rightly been rejected. I do not find any good ground to entertain this writ petition.

7. Accordingly, the writ petition being devoid of merit is liable to be and is hereby dismissed leaving the parties to bear their own cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-