



WEB COPY



W.P.No.29081 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.29081 of 2022

Private ITI (Industrial Training Institute)
Welfare Association (Reg.No.140/2015)
Rep.by its President. No.7, Luke Nagar
High Ground, Tirunelveli-627 -011

.... Petitioner

-Vs-

1.The Director General of Training
Ministry of Skill Development & Entrepreneurship
(MSDE), B2, Kaushal Bhavan, 1st Floor
Karol Bagh, New Delhi – 110 006.

2.The Secretary to Government
Labour Welfare and Skill Development Department
Fort St.George, Chennai 600 009.

3.The Director of Employment and Training
Guindy, Chennai 600 032.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 and 3 to consider the representation dated 11.04.2022 for the revision of the Training cost reimbursement for the trainees allotted to the members of the petitioner association through the counseling in terms of the circular issued by the 1st respondent in DGE and T-19/2012-CD (Pt) dated 06.04.2022.



W.P.No.29081 of 2022

For Petitioner : Mr.S.Kamadevan
For Respondents : Mr.Dr.G.Babu,
Senior Panel Counsel for R1
Mr.R.Kumaravel
Additional Government Pleader – for R2

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 2 and 3 to consider the representation dated 11.04.2022 for the revision of the Training cost reimbursement for the trainees allotted to the members of the petitioner association through the counseling in terms of the circular issued by the 1st respondent in DGE and T-19/2012-CD (Pt) dated 06.04.2022.

2. The petitioner is a private ITI (Industrial Training Institute) Welfare Association, which according to the them, is a registered Association. Number of Industrial Training Institutes (In short 'ITI') are members of the petitioner Association. As per the present system in vogue, 50% of the students in those ITIs are filled up through centralized counseling by the State and the remaining 50% of the students are to be selected by the institute concerned under management quota.



W.P.No.29081 of 2022

WEB COPY

3. Insofar as the tuition fee which is otherwise called training fee to be paid by each of the student to these institutes is concerned, it was fixed long years back ie., in the year 2012, where the students who come from rural area have to pay Rs.10,000/- per year and the students who come from urban area have to pay Rs.12,000/- per year. This amount has to be paid by the students who have been selected and admitted under Management quota. However, insofar as the Government quota is concerned ie., 50% sponsored by the Government through counselling, such training costs would be borne by the Government.

4. Since the said tuition fee or training fee has been fixed nearly about 10 years back, these institutes seem to have made an attempt to revise the fee structure and this was considered by the Central Government and after taking note of the developments, the Central Government ie., Ministry of Skill Development and Entrepreneurship (MSDE) issued the proceedings dated 06.04.2022, whereby the training fee has been enhanced to Rs.26000/- for engineering trades and Rs.21,200/- for non-engineering trades.

5. The aforesaid enhanced training fee fixed by the Central Government through their communication dated 06.04.2022 has to be adopted by the State



W.P.No.29081 of 2022

Government and in this regard, a Government Order has to be issued by the State Government and therefore the petitioner Association made a representation to the respondents on 11.04.2022 and the said representation since has not been considered so far, the petitioner has preferred the present writ petition with the aforesaid prayer.

6. Heard Mr.S.Kamadevan, learned counsel for the petitioner who after having reiterated the aforesaid facts, would seek the indulgence of this Court.

7. Heard Dr.G.Babu, learned Senior Panel Counsel for the first respondent and Mr.R.Kumaravel, learned Additional Government Pleader for the second respondent.

8. Learned Additional Government Pleader would submit that, the question whether the training fee enhanced by the Central Government is to be adopted by the State Government would be considered and decided on merits and in accordance with law and in this regard the representation submitted by the petitioner would be considered and disposed of within a time frame that may be stipulated by this Court.



W.P.No.29081 of 2022

9. Having regard to the said submissions made by the learned counsel for both sides and in view of the factual matrix of the case, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the respondents 2 and 3 to consider the representation of the petitioner representation dated 11.04.2022 on merits and in accordance with law after giving an opportunity of being heard to all the stakeholders including the members of the petitioner association, and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order.”

With the above directions, this writ petition is disposed of. No costs.

03.11.2022

Index : Yes/No
Internet : Yes/No
KST



W.P.No.29081 of 2022

WEB COPY

- To
- 1.The Director General of Training
Ministry of Skill Development & Entrepreneurship
(MSDE), B2, Kaushal Bhavan, 1st Floor
Karol Bagh, New Delhi – 110 006.
 - 2.The Secretary to Government
Labour Welfare and Skill Development Department
Fort St.George, Chennai 600 009.
 - 3.The Director of Employment and Training
Guindy, Chennai 600 032.



WEB COPY



W.P.No.29081 of 2022

R. SURESH KUMAR, J.

KST

W.P.No. 29081 of 2022

03.11.2022