

WPA 3981 of 2023**Sandip Rakshit****vs.****The Indian Oil Corporation Limited & Ors.**

Mr. Somesh Kumar Ghosh

.....for the petitioner

Mr. Sauvik Nandy

...for the respondent Nos. 3 & 4

Ms. Sudeshna Mazumder

...for the respondent Nos. 1 & 2

The petitioner completed one year training programme under the National Apprenticeship Training Scheme (NATS). The certificate of completion was not issued by the Board of Practical Training (BOPT), Eastern region. The training was completed at the establishment of Indian Oil Corporation Limited (IOCL).

From the Report-on-Affidavit filed on behalf of the IOCL, it appears that despite endeavours being made on the part of IOCL, the said corporation/establishment could not upload the tripartite contract between the petitioner, BOPT and IOCL.

Therefore, the BOPT did not issue the certificate in favour of the petitioner.

From the Report-on-Affidavit affirmed on behalf of BOPT it appears that it was the primary responsibility of the IOCL to upload the contract. Since IOCL failed to upload the contract, BOPT could not issue the COP (Certificate of Proficiency), in favour of the petitioner.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that there is no dispute with regard to the fact that the petitioner has successfully completed his Apprenticeship training under NATS. The petitioner cannot be made to suffer because of the technical glitches on the part of the respondents.

Mr. Nandy, learned counsel appearing on behalf of the BOPT fairly submits that in case the hard copies of the requisite forms/documents evidencing the petitioner's successful completion of the Apprenticeship training are handed over to BOPT, then the BOPT shall issue the COP in favour of the petitioner.

It is submitted on the part of IOCL that such hard copies have already been filed on behalf of IOCL.

In the light of the discussions hereinabove, this Court directs IOCL to hand over the requisite forms/documents that it was unable to upload on the portal to the BOPT within a period of two weeks

from date as there is a confusion whether the same have been actually handed over. Upon receipt of such forms BOPT shall issue the COP in favour of the petitioner within a period of two weeks thereafter.

With directions aforesaid, **WPA 3981 of 2023** is **disposed of**.

All parties are to act on a server copy of this order downloaded from the official website of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J)