



W.P(MD)No.9835 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND**

The HON'BLE MR.JUSTICE G.ILANGO VAN

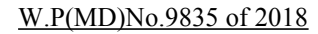
W.P(MD)No.9835 of 2018
and W.M.P.(MD)Nos.9052 & 9053 of 2018

The Tamil Nadu Illakuraka and
Kandaraga Vakana Payirchi Palli Urimaiyalarkal
Nala Sangam, (Regd 130/17),
Represented by its Secretary,
John Martin.

... Petitioner

Vs.

- 1.The Union of India,
Rep.By its Secretary,
The Ministry of Road Transport and Highways,
Transport Bhavan, No.1, Samad Marg,
New Delhi-110 001.
- 2.The Union of India,
Rep. By its Secretary,
The Ministry of Skill Development and Entrepreneurship,
2nd Floor Annexe, Sivaji Stadium,
Shaheed Bhagat Sing Marg, New Delhi – 110 001.



- PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorari, calling for the records of the order /guidelines vide No.RT-25044/03/2017-RS dated Nil of 1st respondent in respect of clause 7(i) and 14(v) of the said impugned order / guidelines and quash the same by considering the representation of the petitioner dated 18.04.2018 sent to the respondents 1 and 2 .

For Petitioner : Mr.R.Suresh Kumar

For Respondents : Mr.S.Jeyasingh for R1 & R2
Mr.P.Thilak Kumar,
Government Pleader for R3 to R5

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard the learned counsel for the parties.



2. The learned counsel for the petitioner submits that clause 7 of the Scheme for Setting Up of Driving Training Centres (DTC) does not include the association. It would be appropriate, if the associations are specifically included in the said clause, so also, the criteria of maximum assistance of Rs.1 crore is also not proper. The same would be too inadequate. Clause 14(v) of the scheme also should not be implemented.

3. We have heard the learned Government Pleader.

4. The guidelines are framed for the scheme to set up driving training centres. The scheme for setting up of driving training centre was operated by the Government. However, keeping in view the gap between the demand and availability, the step has been taken to set up one centre in each District to provide quality training to the drivers of the commercial vehicles.

5. Clause 7(i) of the scheme provides for the persons, who would be eligible to be considered as an agency. They are any entity such as State Undertakings/ NGOs/Trusts /Cooperative Societies / Vehicle Manufacturers /Firms etc. ie., any legal entity registered under the State or Central Government Law will be eligible to apply.



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WEB COPY 6. The State Undertakings/NGOs/Trusts/Cooperative Societies/Vehicle Manufacturers/Firms are illustrative in nature. Clause 7 includes any legal entity registered under the State or Central Government law. The registered association would also be a legal entity registered under the State or the Central Government Law.

7. In view of that, the contention of the petitioner that associations are excluded cannot be accepted.

8. As far as clause 14(v) is concerned, that is a policy decision. The requirement has to be considered and in view of that, the restrictions are placed.

9. We do not find that the scheme suffers from any arbitrariness or unreasonableness. The major grievance of the petitioner about the association been excluded, is redressed with.



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10. This Writ Petition accordingly, disposed of. No costs.

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(S.V.G., CJ.)

(G.I., J.)

27.02.2024

NCC :Yes/No
Index : Yes/No
vsm

To:

- 1.The Secretary,
Union of India,
The Ministry of Road Transport and Highways,
Transport Bhavan, No.1, Samad Marg,
New Delhi-110 001.
- 2.The Secretary,
Union of India,
The Ministry of Skill Development and Entrepreneurship,
2nd Floor Annexe, Sivaji Stadium,
Shaheed Bhagat Sing Marg, New Delhi – 110 001.
- 3.The Director,
The Directorate General of Training(Dgt),
Ministry of Skill Development and Entrepreneurship,
Sharam Shakthi Bhavan,
Rafi Marg, Delhi 110 001.
- 4.The Special Commissioner and Transport Commissioner,
Government of Tamilnadu, Chepauk, Chennai-5.
- 5.The Regional Director,
The Regional Directorate of Apprenticeship Training,
(Rdate), CIT Campus, Chennai-32.



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vsm

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