

# Iti Club Of India vs Directorate General Of Training & Anr on 25 May, 2023

**Author: Purushaindra Kumar Kaurav**

**Bench: Purushaindra Kumar Kaurav**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 3187/2023  
ITI CLUB OF INDIA

Through: Mr.Sanjay Sharawat and  
Kumar, Advocates.

DIRECTORATE GENERAL OF TRAINING & ANR.

Through: Mr.Mohit Kumar and  
G.P. for R-1.  
Ms.Pratishtha Vij and Mr.Ab  
Advocates for R-2.  
Mr.Rajesh Kumar and Mr.Sana  
Advocates for DGT.

+ W.P.(C) 7351/2023  
BARDHAN PVT ITI & ANR.

Through: Mr.Amitesh Kum  
and Mr.Mrinal Kishor, A

DIRECTORATE GENERAL OF TRAINING & ANR.

Through: Mr.Gigi C.George, Sr.Pane  
R-1.  
Ms.Pratishtha Vij and Mr.Abhivan M  
Advocates for R-2.

CORAM:  
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

% 25.05.2023

1. At the outset, learned counsel appearing on behalf of the petitioner in W.P.(C) 3187/2023 submits that the petitioner represents 58 ITIs. He further This is a digitally signed order.

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undertakes to pay the court fees for 57 other members of petitioner-society by 26.05.2023. His undertaking is taken on record. Let the court fees be paid on behalf of the said 57 members.

2. Learned counsel appearing on behalf of the petitioner(s) while taking this court through various communications indicates that each ITI has admitted the requisite number of students in respective branches as per the eligibility criteria before the cut-off date. According to him, on account of various reasons including non-activation of the portal to enable the ITIs to upload the relevant information, the students admitted by the ITIs are not being allowed to appear in their examinations. He, therefore, prays that, subject to appropriate verification, the data of each student admitted by the ITIs be allowed to be uploaded.

3. Learned counsel appearing on behalf of the respondent- Directorate General of Training (DGT) opposes the submissions and she states that repeated directions were given by the respondent-DGT to the petitioners to upload the relevant data. According to her, the specific directions were in place till November, 2022 and once the ITIs failed to upload the relevant data in time, no directions should be issued to allow them to upload any data at this point of time.

4. Learned counsel appearing on behalf of respondent- State Directorate, on instructions states that so far as the state of Bihar is concerned, the online portal remained open for uploading the data up till 30.10.2022.

5. Having considered the submissions made by learned counsel for the parties, it is seen that the only dispute to be adjudicated in this case is whether at this point of time, the ITIs should be allowed to upload the This is a digitally signed order.

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6. Since learned counsel for the petitioner(s) has taken a categorical stand that the students admitted by each ITI fulfil the basic eligibility criteria and they were admitted before the cut-off date, therefore, only on account of technical reasons, the students admitted by each ITI cannot be denied the chance to appear in their respective examinations.

7. It is for this reason this court finds it appropriate to direct the respondent-State Directorate to verify the data of each ITI as to whether the students admitted by the ITIs are fulfilling the basic eligibility criteria for their admission against their respective trades. Respondent-State Directorate will also satisfy itself with respect to the date of admission as to whether the same was granted before the cut-off date.

8. Upon verification of the aforesaid aspect, let the respondent-State Directorate to intimate the petitioner-institutions as to how many students admitted by them are not approved. If in case, any student has any grievance, they would be entitled to raise it in accordance with law.

9. If the concerned DGT finds that the students admitted by the ITIs fulfils the basic eligibility criteria for their admission and they were admitted before the cut-off date, let appropriate directions be issued to enable the petitioner-institutions to upload the relevant data on the NIMI Portal.

10. Consequently, let appropriate steps be taken by respondent-DGT to activate the NIMI portal, enabling the petitioner-institutions to upload the data of admission of the students.

11. Needless to state that if the respondent-State Directorate approves the admission, upon activation of the said portal, respondent-State Directorate This is a digitally signed order.

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12. Let the respondents to immediately notify the activation of NIMI Portal so that the petitioner-institutions can upload the data of the students for verification by the concerned respondent-State Directorate.

13. Depending upon the inquiry and the steps to be taken by the respondents, the eligible students be allowed to appear in the instant examinations.

14. Let the aforesaid exercise be conducted before 15.06.2023.

15. With the following directions, the instant petitions stand disposed of.

PURUSHAINdra KUMAR KAURAV, J MAY 25, 2023/MJ This is a digitally signed order.

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