

**DGT-HC044/39/2021-O/o DIR (TC) [E- 41311]**  
**Government of India**  
**Ministry of Skill Development and Entrepreneurship**  
**Directorate General of Training**

Employment Exchange Building,  
1st floor, Pusa, New Delhi,  
**Date: 04.10.2023**

To,

**The Director,**  
Skill Development & Industrial Training Department,  
Haryana Plot no IP-2, Majri Chowk, Sector – 3, Panchkula,  
Haryana – 134109

**Sub: Revoking of De-Affiliation order of JBDM Private ITI (PR06000302) Haryana**

Sir,

This is in reference to letter no. DGT-Daff/27/2020-O/o Dir (TC) dated 12.03.2021, through which JBDM Private ITI, Bhiwani, Haryana, was de-affiliated.

In this regard, it is to inform that ITI has filled a Writ Petition (6427/2021) in Hon'ble High court of Delhi and Hon'ble Court vide its order dated 06.08.2021 has quashed the decision of the Recommendation Committee dated 19.01.2021, and de-affiliation order dated 12.03.2021, insofar as the petitioner is concerned.

Accordingly, in compliance with the directions passed by the Hon'ble High Court, the order of de-affiliation dated 12.03.2021 is hereby withdrawn for JBDM Private ITI.

This issues with the approval of competent authority.

Encl:


1. De-affiliation order dated 12.03.2021.
2. Hon'ble Court's order dated 06.08.2021.

Yours faithfully,

  
**(Ujjwal Biswas)**  
Director TC

Copy to: -

1. Sr. PPS to DG/AS, DGT.
2. PPS to DDG(SS) - DGT
3. JBDM Private ITI, Khasra No. 234 / 2 Village Saral, Dist. – Bhiwani Pin – 125040, Haryana.
4. The officer dealing with NCVT MIS Portal with a request to update the data on NCVT MIS Portal.

  
**(Shramev Sharma)**  
4/10/2023  
Assistant Director TC

By Speed Post  
C.No.34940

DGT-Daff/27/2020-O/o Dir (TC)  
Government of India  
Ministry of Skill Development and Entrepreneurship  
Directorate General of Training

Employment Exchange Building,  
1st floor, Pusa, New Delhi,  
Dated: 12.03.2021

To,

The Director  
Skill Development & Industrial Training Department,  
Haryana Plot no IP-2, Majri Chowk, Sector - 3, Panchkula,  
Haryana - 134109.

**Sub: - De-Affiliation of 03 Private ITIs/Trades/Units Haryana State.**

Ref: - S/D Director Haryana Letter No. and date given in the table, column 3 at Annexure - I.

Sir/Madam,

This is with reference to the letter from the Director, State Directorate of Skill Development & Industrial Training Department, Haryana on the above subject cited. It is to inform you that as approved by competent authority in the 20<sup>th</sup> DGT-Recommendation Committee Meeting held on 19<sup>th</sup> January 2021 vide agenda no.20.4.1., the Trades/Units of 03 Private ITIs have been de-affiliated w.e.f. August 2020 for the deficiencies / observations mentioned against each of the ITIs enlisted below. You may kindly inform to the concerned ITIs accordingly.

The said information is also available on web site <https://ncvtmis.gov.in> In case of any discrepancy observed in the de-affiliation orders, same may be intimated to undersigned within a week of date of receipt of the order.

Encl. List of 03 ITIs at Annexure - I.

Yours faithfully  
  
(Sunil Kumar Gupta)  
Director of Training  
Email: [sunil.gupta67@nic.in](mailto:sunil.gupta67@nic.in)

Copy to: -

1. PPS to DG/AS, DGT.
2. PPS to DDG (Affiliation).
3. All concerned ITIs.
4. The officer dealing with NCVT MIS Portal to update the data.



CR Please issue  
Date: 15.03.21  
Rg

  
(CH. Ravi)  
Joint Director of Training  
E-mail: [ravi.chilukoti@nic.in](mailto:ravi.chilukoti@nic.in)

List of 03 Private ITIs for De-affiliation in Haryana State

Sl. No.	Name & Address of ITIs / MIS Code	S/D letter no. & Date	Observations by the members of Joint Inspection Committee on	Remarks by DGT - Recommendation Committee
1	CPS, Pvt. ITI Litani Mod, Prabhu wala Distt. Hisar, Haryana  MIS CODE- PR06000293	T-4/Inspection/1st phase/ 2019- 20/Trg-III/Part-II/ 7141 dated 11.06.2020	<b>Electrician:</b> 1. Approximate 2% shortage in availability of hand tools. 2. Motor generator set AC to DC found not working properly. Oil testing machine not working properly. <b>Plumber:</b> 1. Pipe bending machine found out of order. 2. 05 nos. screw driver 250mm found short. <b>Fitter:</b> 1. Tool Machinery and space available only for 02 Units (1+1) 2. One Lathe Machine not working properly. <b>Mechanic Diesel:</b> 1. Approximate 3% shortage in availability of hand tools. 2. Hose pipe of portable air compressor not available.  <b>Radiology Technician:</b> 1. X-ray machine was out of order.  Other Observations: Flooring of class Rooms and IT Lab is not of good quality. Writing boards in some class Rooms were small in size and not of appropriate quality. There was no proper lighting arrangement in Works	On Account of Deficiency of Joint Inspection and recommendation of the State Directorate, the ITI to be de-affiliated.
2	JBDM Pvt. ITI, VPO Saral, Distt. Bhiwani. Haryana  MIS Code PR06000302	T-4/Inspection/1st phase/ 2019- 20/Trg-III/Part-VI/ 7229 dated 11.06.2020 and T- 4/Inspection/1st phase/ 2019/Trg- III/ 11818 dated 24.08.2020	Committee visited the JBDM Private ITI, VPO Saral, Distt. Bhiwani on dated 27.11.2020 and 1.12.2020 no authority found in the campus. When contacted telephonically representative of the institute did not take interest in putting the documents related to inspection to the committee. The representative of the ITI did not presented their self in front of committee. This shows that this Institute is no more interested in running the course sanctioned by DGET Delhi, Govt. of India and Govt. of Haryana.	On Account of Deficiency of Joint Inspection and recommendation of the State Directorate, the ITI to be de-affiliated.

## Annexure - I

3	<p>Sanska Fire &amp; Safety, Pvt. ITI, Sidharwali, Gurugram, Haryana</p> <p>MIS Code PR06000308</p>	<p>T-4/Inspection/Pvt. ITI/ 2019-20/Trg-III/Part-I/ 7186 dated 11.06.2020</p>	<p>Biometric machine is found installed in institute premises but presently suspended due to COVID 19. Out of total staff strength of 12, Salary of only 4 employees are being disbursed by bank transaction. Trainees present on the day of inspections were quite less(only total 9 trainees were present), It was appraised by the institute that keeping in view the situation arise due to COVID 19, online classes are being conducted to the remaining candidates.</p> <p>On the date of inspection total 8 officials out of 12 were present. D-registers/Bills have been verified and it has been found that procurement is not as per norms. Raw material Bills are found without GST No. &amp; Bill no.)</p> <p>On the date of inspection, no evidence has been found regarding computer lab / workshop/ Theory room to be utilized for any other purpose. (Undertaking for the same has also been furnished by the Institute.)</p> <p>Placement record has been found incomplete and need to be maintained properly.</p> <p>On the date of inspection there was no evidence found regarding using the Institute for shipping operations courses, however keeping the seriousness of this issue and COVID 19 situations, it is recommended to have further scrutiny/ watch for any such activity.</p>	<p>On Account of Deficiency of Joint Inspection and recommendation of the State Directorate, the ITI to be de-affiliated.</p>
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*[Handwritten signature]*

\$~2 (2021 Cause List)

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6427/2021 with CM APPL. 20190/2021

JBDM PRIVATE ITI

..... Petitioner

Through: Mr. Sanjay Sharawat, Advocate.

versus

DIRECTORATE GENERAL OF TRAINING

..... Respondent

Through: Mr. Sandeep Tyagi, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **06.08.2021**

The proceedings in the matter have been conducted through video conferencing.

1. By way of this petition under Article 226 of the Constitution, the petitioner challenges a decision taken by the respondent/Directorate General of Training ["DGT"] at the 20<sup>th</sup> Recommendation Committee Meeting held on 19.01.2021, by which the DGT decided to de-affiliate the petitioner, and a letter dated 12.03.2021, by which the aforesaid decision was communicated to the State Directorate of Training, Haryana ["the State Directorate"]

2. The petitioner was granted affiliation by the DGT for two units each in four different trades on 07.10.2016. Pursuant to an inspection, the State Directorate by a communication dated 11.06.2020 suspended the petitioner's admission for the academic session 2020-21. The DGT also

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issued a show cause notice dated 08.09.2020 pointing out various

deficiencies in the petitioner-institution. The petitioner responded to the show cause notice by its letter dated 24.09.2020.

3. The aforesaid actions of the State Directorate and the DGT were challenged by the petitioner by way of CWP No. 17004/2020 before the Punjab and Haryana High Court. The High Court passed an interim order in the petitioner's writ petition (alongwith several other writ petitions) sometime in October, 2020, directing the DGT to conduct a fresh inspection. The writ petition was ultimately permitted to be withdrawn by an order dated 15.03.2021.

4. According to the counter affidavit, the DGT and the State Directorate conducted a joint inspection on 27.11.2020 and 01.12.2020. The Joint Inspection Committee made the following report to the Recommendation Committee:-

*“Committee visited the JBDM Private ITI, VPO Saral, Distt. Bhiwani on dated 27.11.2020 and 1.12.2020 no authority found in the campus. When contacted telephonically representative of the Institute did not take Interest in putting the documents related to inspection to the committee. The representative of the ITI did not presented their self in front of committee. This shows that this Institute Is no more interested in running the course sanctioned by DGET Delhi, Govt. of India and Govt of Haryana.”*

5. The Report of the Joint Inspection Committee was placed before the Recommendation Committee at its meeting held on 19.01.2021, when the Recommendation Committee passed the impugned directions in the following terms:-

*“On Account of Deficiency of Joint Inspection and recommendation of the State Directorate, the ITI to be de-affiliated”*

6. Mr. Sanjay Sharawat, learned counsel for the petitioner, submits that the circumstances giving rise to the present petition are identical to the circumstances which arose in W.P.(C) 3422/2021 and W.P.(C)3671/2021, which were allowed by orders dated 22.03.2021 and 23.03.2021 respectively. Those writ petitions concerned the same meeting of the Recommendation Committee dated 19.01.2021 and communication issued pursuant thereto dated 12.03.2021. Relying upon orders dated 21.12.2020 in W.P.(C)8871/2020 and W.P.(C)8873/2020, this Court quashed the impugned recommendation dated 19.01.2021 and communication dated 12.03.2021, and granted liberty to the DGT to issue a fresh show cause notice calling out the grounds on which the DGT proposes to de-affiliate the petitioner.

7. By the order dated 21.12.2020 in W.P.(C)8871/2020, this Court held as follows:-

*“7. Admittedly, the aforesaid judgment was applied by the respondent to the petitioner. A fresh inspection took place at the premises of the petitioner on 15.11.2019. Thereafter, again a cryptic impugned order has been passed on 22.10.2020 against 102 ITIs using the same phrase i.e. "recommended for de-affiliation".*

*8. It is manifest that the impugned order dated 22.10.2020 has been passed without compliance of principles of natural justice and without giving a proper opportunity to the petitioner. No show-cause has been issued and no reasoned order has been passed. Further, there is a breach of the order of this Court passed on 21.10.2019 in WP(C) No.4936/2019 which required passing of a reasoned order after a hearing. The order is clearly vitiated.*

*9. Accordingly, the impugned order dated 22.10.2020 is quashed. The respondent is free to issue a show-cause notice*

*to the petitioner spelling out the grounds on which the respondent proposes to de-affiliate the petitioner. Needful be done within four weeks from today. The petitioner will file a reply within three weeks thereafter. The respondent may thereafter dispose of the said show-cause notice by passing a reasoned speaking order which will be duly communicated to the petitioner. The entire exercise may be completed by the respondent within four months from today.*

*10. The petitioner will be allowed to participate in the on-going counselling for the present year. All consequential steps of opening the portal, etc. shall be taken by the respondent.”*

8. Mr. Sandeep Tyagi, learned counsel for the DGT, distinguishes the aforesaid orders of this Court on the ground that, in the present case, a show cause notice dated 08.09.2020 was in fact issued to the petitioner, to which it replied on 24.09.2020. He submits that after the issuance of the show cause notice and the reply thereto, a joint inspection was conducted in November-December, 2020. However, in view of the petitioner’s failure to submit the required documents, the Recommendation Committee accepted the report of the Inspection Committee and recommended de-affiliation of the petitioner.

9. Having heard learned counsel for the parties, I am of the view that the order of this Court dated 22.03.2021 and 23.03.2021 referred to above are applicable to the petitioner’s case also. The final decision to de-affiliate the petitioner has been taken not just on the basis of the show cause notice dated 08.09.2020, but pursuant to a fresh inspection that was conducted in November-December, 2020. After the aforesaid inspection, no show cause notice was issued pointing out the deficiencies which the

Inspection Committee had found against the petitioner. In this regard, the



essence of the report of the Inspection Committee is, in so far as the petitioner is concerned, only that no responsible person was found on campus and that the representative of the Institute did not take interest in putting the documents related to the inspection to the Committee or present themselves in front of the Committee.

10. In view of the aforesaid, the decision of the Recommendation Committee dated 19.01.2021, and the communication dated 12.03.2021 are hereby quashed, insofar as the petitioner is concerned.

11. The DGT is free to issue a show cause notice to the petitioner spelling out the ground upon which the de-affiliation is proposed. The show cause notice, if any, may be issued within two weeks from today. The petitioner will have an opportunity of responding to the show cause notice within two weeks thereafter, and the DGT will dispose of it by a reasoned order within four weeks thereafter.

12. Mr. Sharawat submits upon instructions that, in fact, industrial training institutes in the State of Haryana were closed due to the COVID-19 lockdown and continuing restrictions from March 2020 and remain closed even today. In the event the DGT issues a show cause notice to the petitioner, the petitioner may make its case before the DGT which will take a considered decision thereupon.

13. As a consequence of the aforesaid order, the petitioner will be permitted to participate in counselling and admit trainees for the academic year 2021-22. The DGT is directed to communicate the aforesaid status of the petitioner to the State Directorate within one week

from today.

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14. The writ petition, alongwith pending application, is disposed of in these terms.

**PRATEEK JALAN, J**

**AUGUST 6, 2021**

*j'*

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Signing Date:08.08.2021  
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