

DGT-HC044/19/2022-O/o DIR (TC) E- 50952
Government of India
Ministry of Skill Development and Entrepreneurship
Directorate General of Training (DGT)

Kaushal Bhawan, New Moti Bagh,
Chanakyapuri, New Delhi - 110023
Dated: 28/06/2024

Subject: Regarding the compliance of judgement dated 19.05.2023 passed by the Hon'ble court in W.P.(C) No.9249/2022 titled as "Lord Buddha & Anr" Versus DGT.

1. Whereas the Petitioner Institute, i.e Lord Buddha Pvt ITI, (MIS code- PR10001018), district Khagaria, Bihar, was de-activated from NCVT MIS portal vide DGT Order no. DGT-TCD031(12)/5/2020 -O/o Dir (TC) dated 15.09.2021, due to illegal activities were being used on NCVT portal by the petitioners login credentials.

2. Whereas the Petitioner Institute has filed the Writ Petition WPC no. 9249/2022 dated 01/06/22 before the Hon'ble High Court of Delhi for seeking the following relief:-

[a] "Issue a writ of mandamus and direct the Respondent No.1 to activate the NCVT-MIS portal of the Petitioner and reflect the status of the Petitioner as duly affiliated for 8 units in Electrician Trade and 4 units in Fitter Trade; and

[b] Issue a writ of mandamus and direct the Respondent No.2 to verify the data of 103 trainees uploaded by the Petitioner on NIMI portal and migrate the said data to the NCVT MIS portal"; and

[c] Issue a writ of mandamus and direct the Respondent No.1 to permit the Petitioner to access the NCVT MIS portal by providing user id and password to enable to upload the attendance, sessional marks etc of the 103 trainees admitted by it for August 2021 academic session and to generate their hall tickets and permit the said trainees to appear in their AITT-CTS [Annual System] Examination scheduled to commence in June-July, 2022; "

3. Whereas, the Hon'ble court vide its order dated 19.05.2023 disposed of the matter in the two other connected matters inter alia directing that the petitioner-institute file appropriate affidavits along with relevant documents to indicate number of trainees enrolled in their respective institutions during the academic year (2021-23). Depending upon the submissions to be made by the petitioner institute, the DGT may pass appropriate order with respect to shifting of those students to any other institution and the ITI had to comply with the submission of fees. It was further stated that DGT will also look into the aspects of genuineness of the affiliation order, and if they are not found to be genuine, the necessary consequences must follow.

4. Whereas earlier, the Hon'ble Court directed the DGT to transfer the data of the petitioner institute to other recognized institutes vide its interim order dated 29.07.2022 and 31.08.2022. In compliance with the interim order, the State Directorate of Bihar conducted a meeting on 10.01.2023, in which it was decided to transfer the 103 trainees of the 2021 session from the petitioner institute to two recognized institutes, namely Sundari Pyare Pvt. ITI (PR10000400) and Chandrakala Laxmi Private ITI (PR10000701), upon submission of the training cost/fees by the petitioner. The petitioner did not avail itself of the opportunity to

represent itself for the necessary data transfer in the meeting conducted by the State Directorate on 10.01.2023. Therefore, the activity of data transfer couldn't be completed due to negligence of the petitioner institute.

5. That, in compliance to final order dated 19.05.2023, the DGT has sent the letter to Petitioner Institute on 21.06.2023 through email and speed post in which it was directed to submit an affidavit along with corroborative documents enumerating details of the enrolled students/trainees for the academic session (2021-23). The final decision/ Order of the DGT was contingent on the documentary evidence submitted by the Petitioner Institute.

6. That, the petitioner ITI was afforded multiple opportunities by the State Directorate of Bihar on 10.01.2023, and also by DGT through a letter dated 21.06.2023, to represent itself by way of a show cause notice but, the petitioner ITI failed to submit the requisite documentary proof such as list of names of the trainees, Attendance Sheet, Admission receipt etc so as to verify the details of the trainees indicates malfeasance and intentional, deliberate actions by the petitioner institute in compliance to Hon'ble Court directions.

7. Whereas, the access to NCVT MIS portal by providing user ID and password to enable to upload the attendance, sessional marks etc of 103 admitted trainees to appear in AITT-CTS examination for June-July 2022 was subject to verification and receipt of documentary details by Petitioner Institute. That, the petitioner institute did not deliberately share the data required for the purpose of transfer. That as a consequence of non-compliance with the direction of the Hon'ble Court from petitioner institute, the transfer of the data could not be materialized and the details could not be authenticated.

8. That, the affiliation order produced by the petitioner ITI is fabricated and inauthentic, since the corroborative document indicates that no affiliation was granted to the petitioner ITI in reference to minutes of meeting dated 27.08.2019, upon further verification by the department, it was found that, on that day of meeting only 21 institutes were granted affiliation for the State of Bihar. The serial number 22 mentioned in annexure P-1 with the petition does not exist and was found to be fake as per the records. The order seems to be modified, with the original order's content being copied and edited to appear genuine. That submission of a fake document is not only a misconduct and criminal offence, but is also a violation of the 2018 Affiliation norms.

In view of the above iterated circumstance, this speaking order is deemed to be considered a formal De-affiliation order for the Petitioner Institute for the reasons mentioned here in above.

Yours's Faithfully

(Ujjwal Biswas)

Director (TC)

उज्जवल बिस्वास / UJJWAL BISWAS

निदेशक / Director

प्रधान निदेशक, कौशल विकास एवं उद्यमशीलता मंत्रालय

Ministry of Skill Development and Entrepreneurship

पता: सरकारी भवन, नई दिल्ली-110012

To

1. The Director, Directorate of Training and Employment, Rojgar Bhavan, Singh Marg, Lucknow - 226001, Uttar Pradesh.
- ✓ 2. The Principal/Office In-charge of Lord Buddha Pvt. ITI, Maheshkut, Khagaria, dist. Khagaria, Bihar-841406, through its registered email- lordbuddhaiti@gmail.com and by post.

Copy for information to: -

1. PSO to DG/AS, DGT Hqrs, New Delhi.
2. PPS to DDG(Affiliation)/SCAA Chairperson, DGT Hqrs, New Delhi.
3. The Regional Director, RDSDE Bihar.
4. Deputy Director TC with a request to upload on NCVT MIS portal
5. Guard file

(Kanika Kalhan)

Training Officer (TC)