

ANIL KUMAR AND OTHERS VS UNION OF INDIA AND OTHERS

Present:- Mr. Akshay Bhan, Sr. Advocate with
Mr. Abhijeet Rawaley, Advocate for the petitioners.

Learned Senior counsel for the petitioners draws the attention of this Court that earlier CITS matter was taken up before the Division Bench of this Court in CWP No.27658-2019 and other connected matters on 07.02.2023 . The relevant paras of the order reads as under:-

“It is contended that it is important that instructors' qualification and experience norms prescribed at DGT are strictly followed by all State Governments and U.T. as well as private institutions. Reference is also made to a letter dated 26.07.2019 issued by the MSD mandating CITS qualification for the requirement of vocational instructors in ITIs (Government and Private), and it is asserted that only CITS qualification will enable instructors to possess training methodology and associated skills which would promote vocational training.

However, counsel for the State Government stated that certain correspondence was exchanged between the Central and State Governments in the past wherein the State Governments were advised by the Union Government that if CITS qualified personal are not there, then even diploma holders in the relevant trade can be considered for appointment as Instructors/Crafts Instructors; and that there is no reference to the said correspondence in the reply filed by the Union of India. She also pointed out that some appointments might have happened of persons having degree/diploma with respect to trade without CITS qualification and such persons will also be affected.

Since in the connected matters counsel for the writ petitioners have sought time to file replications after studying the replies filed by the Union of India, and since it is alleged by the counsel for the petitioners in the instant case that the State Government is proceeding to fill up all vacancies pursuant to the advertisement No.12-2019 and there is a possibility of third party interest being introduced at this stage when the matter is ripe for hearing, we permit the respondents to henceforth make appointments of only CITS qualified persons as Instructors/Craft Instructors and keep on hold appointment of other persons who do not possess this qualification till the next date of hearing.

Adjourned to 02.03.2023.

A photocopy of this order be placed on the connected files.”

Learned Sr. Counsel states that even then the impugned order dated 20.02.2023 (Annexure P-16) has been passed by giving relaxation for CITS qualification for the post of Craft Instructors.

Notice of motion returnable for 15.05.2023.

On the asking of this Court, Mr. R.S. Budhwar, Additional AG Haryana, accepts notice on behalf of the respondents Nos. 2 to 4.

Meanwhile operation of the impugned order dated 20.02.2023 at Annexure P-16 shall remain stayed.

28.04.2023
shweta

(HARNARESH SINGH GILL)
JUDGE