

OFFICE MEMORANDUM

Subject: Compliance to the judgment dated 06.08.2026 passed in contempt case 1047/2026 titled as CONT.CAS(C) No. 1047/2026 Titled: Swami Private ITI v. Dilip Kumar & Anr at Delhi High Court-reg

Whereas the petitioner institute, namely SWAMI PRIVATE ITI (PR27000788) has filed a contempt petition seeking the following relief—

- “a. issue notice to the Contemnors calling upon them as to why the contempt proceedings shall not be initiated against them for having willfully & deliberately disobeying the Order dated 12.03.2026 passed by this Hon’ble Court in aforesaid Writ Petition (C) No.3142/2026; and*
- b. issue notice to the Contemnors directing them to comply with the order dated 12.03.2026 passed by this Hon’ble Court in aforesaid Writ Petition (C) No.3142/2026; and*
- c. pass such other or further order(s) as this Hon’ble Court deems fit and proper in the facts and circumstances of the instant matter and in the interest of justice.”*

Brief facts:

2. Whereas, the petitioner institute, SWAMI PRIVATE ITI (PR27000788), was de-affiliated on 09.09.2021 on account of serious irregularities in the institute, particularly with regard to infrastructure, machinery and equipment. The said order of de-affiliation was challenged by the petitioner before the Hon’ble High Court of Delhi by way of W.P.(C) No. 10092/2021. The Hon’ble Court, vide its order dated 14.08.2023, directed the Directorate General of Training (DGT) to consider the petitioner’s case through the Grievance Redressal Committee (GRC) and to pass an appropriate decision thereon. The relevant paragraph of the order dated 14.08.2023 is extracted hereinbelow-

“20. Under the facts of the instant petitions, this court, at this stage, deems it appropriate to dispose of all three petitions with the following directions:

- i. The interim order passed in W.P.(C) 5863/2019 dated 01.06.2019 and W.P.(C) 5305/2020 dated 25.02.2021 are made absolute.*
- ii. The respondent no.1-DGT is directed to constitute a Grievance Redressal Cell by way of a separate order consisting of the officers as mentioned in Order Memorandum dated 16.08.2022 to deal with the grievance of the petitioner-institution with respect to the de-affiliation of the petitioner institution.*
- iii. This exercise shall be completed within 04 weeks and thereafter decide the grievance of the petitioner not beyond the 08 weeks.*
- iv. In case, an adverse order is passed by the Grievance Redressal Cell let an opportunity be provided to the petitioner-institution to file an appeal before the Appellate Committee.”*

3. Whereas, pursuant thereto, the GRC, in its meeting held on 03.10.2023, granted the petitioner an opportunity to rectify the deficiencies and undergo inspection in accordance with the prescribed

norms. Accordingly, the inspection of the petitioner institute was scheduled for 06.10.2023. However, the petitioner sought an extension of three months, citing the closure of the institute for the preceding few years and the consequent need for time to make the requisite infrastructure ready for inspection. The request of the petitioner was duly considered and, accordingly, the RDSDE rescheduled the inspection and fixed it for 23.01.2024.

4. Whereas, the petitioner again expressed its inability to undergo the scheduled inspection, vide its letter dated 17.01.2024, stating, *"ITI is closed due to non-admission since two years. There are no employees in the institute due to non-admission. However, it will take at least three months for the organization to make complete adjustments for the inspection. Please cancel the inspection dated 23.01.2024 and give the extension another three months."*

5. Whereas, the case was again placed in GRC wherein the committee rejected the plea of the petitioner ITI for further extension of three months. The relevant para of the decision dated 24.05.2026 is extracted as hereunder -

a) The multiple opportunities vide email dated 03.10.2023, 02.11.2023 have already been given to the ITI for Joint inspection and the petitioner did not avail the same. The ITI was supposed to rectify the deficiencies in the given time frame. Yet the petitioner has again sought the 03-month time for inspection by stating the reason of no employees and zero admission of trainees.

b) Also, the officers deputed for the purpose of inspection have to cancel other assignments in order to materialize the field visits at the premises of the institute. The lackadaisical approach of the Institute has resulted in the sheer wastage of the time and resources of DGT and the State Directorate of Maharashtra.

c) Moreover, rescheduling the inspection batch repeatedly is not feasible, as it would disregard other pending affiliation applications awaiting inspection. d) The petitioner's current plea for an extension is merely based on the availability of staff and zero admissions of trainees.

6. Hence, the de-affiliation status of the petitioner ITI will remain same as per DGT de-affiliation order dated 09.09.2021 order.

6. Whereas, the decision of the GRC was duly communicated to the petitioner at its registered e-mail address, <swamiitc@rediffmail.com> However, the petitioner has neither preferred any appeal against the said decision of the GRC, despite the directions of the Hon'ble Court, nor submitted any fresh application seeking affiliation.

7. Whereas, the petitioner has again filed a fresh petition W.P.(C) 3142/2026 *inter alia* seeking the following relief(s) :-

"(a) direction to Respondent to conduct inspection of the Petitioner Institution as per the decision dated 19.09.2023 of the Grievance Committee taken in compliance of Order dated 14.08.2023 passed by this Hon'ble Court in W.P. [C] No.10092/2021 earlier filed by the Petitioner; . . ."

8. Whereas, the Hon'ble Court, vide order dated 12.03.2026 in W.P.(C) No. 3142/2026, disposed of the matter, without entering into the merits of the case, with a direction for carrying out the inspection at the first date of hearing. It is pertinent to note that, in the present petition, the petitioner raised the contention that the inspection is pending in compliance to the earlier petition W.P. [C] No.10092/2021 before the GRC. The petitioner, while suppressing the aforesaid material facts, cited certain medical grounds relating to the President of the Society and obtained an order from the Hon'ble Court.

8. Whereas, aggrieved by the aforesaid order dated 12.03.2026, the DGT preferred C.M. Application No. 26095/2026, seeking recall of the said order passed by the Hon'ble Court. The matter is presently listed for hearing on 14.12.2026.

9. Whereas, in the meantime, the petitioner filed the aforesaid contempt petition, being CONT.CAS(C) No. 1047/2026, alleging non-compliance with the order dated 12.03.2026 passed by this Hon'ble Court in W.P.(C) No. 3142/2026. The Hon'ble Court, vide order dated 06.08.2026, directed the respondents to conduct the inspection, take an appropriate decision thereon, and file a compliance report within a period of three weeks. In compliance with the aforesaid order, the petitioner was directed to facilitate and undergo the inspection on or before 17.08.2026, so as to enable verification of the requisite infrastructure, machinery and equipment in accordance with the prescribed norms.

10. Whereas, the petitioner, vide its representation dated 12.08.2026, submitted to the DGT, sought a further extension of one month for carrying out the inspection, reiterating the same ground that the institute had remained closed for the last five years. The inspection of the petitioner was conducted on 17.08.2026 wherein the inspecting members have mentioned that *"The building of Swami Private ITI , Kathwala, Satana Naka, Malegaon , has been demolished. NOT Recommended for affiliation of any trade at the said premises."*

11. Whereas, a **show cause notice** was issued to the petitioner on 18.08.2026 to show cause as to why its request for re-inspection and restoration of affiliation should not be rejected, particularly in view of its repeated requests for extension on the ground that the institute has remained closed for the last five years, without any plausible or sufficient justification, and the continued absence of the requisite building and infrastructure on the premises of the ITI for conducting the prescribed training activities

12. Whereas, the petitioner has not submitted any reply to the Show Cause Notice. However, the petitioner's representation dated 12.08.2026 and the remarks contained in the Inspection Report have been duly considered by DGT. Upon consideration of the same, the following observations are made:

TC section observations:

13. It is pertinent to mention that the petitioner-institute was initially granted an extension of approximately four months, i.e., from 06.10.2023 to 23.01.2024. However, the petitioner again sought a further extension of three months vide its request dated 17.01.2024. The said request was rejected by the GRC vide order dated 24.05.2024. The petitioner did not prefer any appeal against the said order of the GRC, nor did it submit any fresh application for affiliation, despite the fact that the DGT opens the affiliation portal every year for submission of fresh applications.

14. That the petitioner-institute had earlier submitted a representation seeking re-inspection pursuant to the directions issued by the Hon'ble Court on 12.03.2026 in W.P.(C) No. 3142/2026 and had also instituted contempt proceedings seeking compliance with the said directions for conducting the inspection. The petitioner has given multiple representation on 23.03.2026 and 25.03.2026 stating that the inspection may be carried out in compliance to the order 12.03.2026 in WPC 3142/2026(supra). The petitioner was supposed to be ready for inspection. However, the petitioner has now sought a further extension of one month for conducting the inspection.

15. It is pertinent to note that the building of the petitioner-institute has since been demolished as per inspection report and, therefore, the requisite premises are presently not available for conducting the inspection or for undertaking the prescribed training activities.

16. That the petitioner's request for a further extension for conducting the inspection is primarily premised on the fact that the institute has remained closed for the last five years similar to the previous

instances. The petitioner is clearly misusing the process of law by seeking the extension and fact is that the building is demolished and cannot be used for restoration of affiliation and for permitting the training of the fresh students. Such repeated requests for extension, without establishing any plausible or sufficient justification for the continued non-availability of the requisite infrastructure, **cannot be accepted**.

Conclusion:

17. Now, **therefore**, in view of the aforesaid facts and circumstances, it is clearly evident that the petitioner is blatantly seeking the extension of the inspection without having any infrastructure for the training. The petitioner has misled the Hon'ble Court by way of writ petition and clearly misusing the process of law by way of filling the writ and contempt petitions. **Therefore**, it has been **decided** that the petitioner-institute shall continue to **remain de-affiliated in terms of the DGT order dated 09.09.2021**, and its request for re-inspection and restoration of affiliation is hereby **"rejected"**.

18. However, since the period of debarment of three years has already expired from the order of de-affiliation 09.09.2021, so the petitioner-institute shall be at liberty to submit a **fresh application for affiliation** in accordance with the newly notified Affiliation Norms for ITIs, 2025, subject to its establishing the requisite building, infrastructure, machinery, equipment and other facilities prescribed under the said norms.

19. This issue with approval of the competent authority.

(Ketan Patel)

Director (TC)

To

1. The Director, Directorate of Employment & Training, Maharashtra through email.
2. The Principal/Office in-charge of petitioner institute through its registered email.

Copy for information to: -

1. Sr. PPS to DG(T), DGT Hqrs, New Delhi.
2. PPS to DDG(De-affiliation), DGT Hqrs, New Delhi.
3. The Regional Director, RDSDE Maharashtra.
4. The officer dealing with SIDH Portal with a request to upload in website.

(Rajesh Kumar)

Deputy Director (TC)