



एनसीटीई अपीलीय प्राधिकरण में/ IN THE NCTE APPELLATE AUTHORITY

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi-110075

दिनांक/ Date – 18.08.2026

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-139/E-363093/2025 Appeal/14th (Emergent) Meeting, 2026
APPLNRC202514889

Serial No. 01 of 14th (Emergent) Meeting – 2026

Doda College of Education, 822 min, Khata No. 86/84 and 96 min, Ghat, B.P.O, Arnora, Doda, Jammu & Kashmir-182202.	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
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Representative of Appellant	Ms. Shakti Kumari, Chairperson
Respondent by	Regional Director, NRC
Date of Hearing	18.08.2026
Date of Pronouncement	18.08.2026

आदेश/ ORDER**I. GROUNDS OF REFUSAL**

The appeal of **Doda College of Education, 822 min, Khata No. 86/84 and 96 min, Ghat, B.P.O, Arnora, Doda, Jammu & Kashmir-182202** dated 18.01.2025 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. No. NCTE / NRC / FR-2122-NRC-37889069 / JAMMU AND KASHMIR / 2020 / REJC / 69** dated 07.01.2025 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that “In support of land document, the institution has submitted the private lease deed for a period of 21 years in favour of the management society, which is not acceptable as per clause 8(4)(i) of NCTE Regulations 2014. Original Affidavit on Rs. 100/- stamp paper regarding land has not been submitted. The other documents viz NEC, CLU, Mutation, Building Plan, Building completion Certificate etc. are not acceptable in view of the fact that the land is on private lease basis, which is not acceptable as per NCTE Regulations.”

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Shakti Kumari, Chairperson of Doda College of Education, 822 min, Khata No. 86/84 and 96 min, Ghat, B.P.O, Arnora, Doda, Jammu & Kashmir-182202 appeared online to present the case of the appellant institution. In the appeal report, it is submitted that “1. Compliance Regarding Private Lease Deed: (i) It is acknowledged that the institution submitted a private lease deed for a period of 21 years in favour of the Trust. (ii) Clarification and Justification: (i) The lease deed is duly registered through the office of the Sub-Registrar, Doda, under Receipt No. 3898934, dated 26.05.2012. (ii) The lease satisfies the tenure requirements outlined in NCTE Regulations, 2014, and has been executed by legal procedure through competent authorities. (iii) In cases where the land ownership is not absolute, several precedents in educational institutions allow for compliance with long-term lease agreements. Therefore, we respectfully request reconsideration of this point. 2. Submission of Affidavit on Rs. 100 Stamp Paper: The institution had inadvertently missed the submission of the original affidavit on Rs. 100 stamp paper. Action Taken: (i) The institution is willing to submit the original affidavit on Rs. 100 stamp paper immediately, ensuring compliance with this requirement. (ii) Kindly grant us an opportunity to rectify

this procedural lapse. 3. Deficiency in Other Documents (NEC, CLU, Mutation, Building Plan, Building Completion Certificate, etc.): Clarification and Additional Submissions: (i) The documents submitted are genuine and reflect compliance with all building, land, and operational regulations. (ii) The institution acknowledges that the land is on lease and requests NCTE to accept this under special consideration, keeping in mind the unique circumstances of the case. (iii) Precedents and exceptions under educational regulations allow for institutions operating on long-term leases to fulfil requirements for NEC, CLU, etc., 4. Circumstantial Challenges Faced by the Institution: (i) The father of the Chairperson of the Trust, Late Shri Krishan Singh, was a key trustee and played a significant role in the application process. (ii) Since 2020, he was suffering from COVID-19-related complications and undergoing dialysis thrice a week, which severely impacted the administrative operations of the trust. (iii) Unfortunately, he passed away in December 2022, further delaying compliance with procedural requirements. (iv) Request for Consideration: We respectfully request the NCTE to consider these extenuating circumstances as a mitigating factor while reviewing our application. 5. Request for Reconsideration: The institution has acted in good faith to comply with the NCTE Regulations, 2014, and requests the following relief: (i) Accept the private lease deed as valid under special circumstances or provide an opportunity for compliance by submitting alternative documents. (ii) Allow submission of the original affidavit on Rs. 100 stamp paper regarding land ownership. (iii) Consider the delays caused by unforeseen personal and administrative challenges faced by the trust. Relief Sought: In light of the above points and the institution's genuine efforts to meet the requirements, we kindly request the NCTE to reconsider the refusal order dated 07/01/2025. The institution remains committed to ensuring compliance with all applicable regulations and is prepared to take necessary corrective steps as directed by the NCTE. (i) Reinstatement of the application for the B.Ed. course for the academic session 2025-26. (ii) Permission to submit the deficient documents within a reasonable time frame. (iii) We humbly request the Committee to take these extraordinary circumstances into consideration and provide the institution with a reasonable time frame to address the deficiencies. We trust the Honourable committee will take a lenient view of the institution's application and allow it to continue the process for offering quality education in accordance with NCTE guidelines. Adv. Shakti Kumari Chairperson Doda College of Education."

III. OUTCOME OF THE CASE

The Appeal Committee in its 14th (Emergent) Meeting, 2026 held on 18th August, 2026 considered the case of the appellant institution and carefully examined the Appeal Report, the impugned order passed by the concerned Regional Committee, the records available on file, the documents placed on record, and the submissions made by the appellant institution.

The Appeal Committee noted that the appellant institution submitted an application to the Northern Regional Committee for grant of recognition, seeking permission for running the B.Ed. Programme on 31.08.2020. The recognition of the institution for B.Ed. programme was refused by the NRC vide order dated 07.01.2025.

The Appeal Committee considered the case in the present meeting and noted the submissions of the appellant institution, Doda College of Education, Doda, Jammu & Kashmir, in its appeal against the refusal order dated 07.01.2025 concerning its application for recognition of the B.Ed. course for the academic session 2025-26. The appellant submitted that the private lease deed executed in favour of the Trust for a period of 21 years was duly registered before the Sub-Registrar, Doda, under Receipt No. 3898934 dated 26.05.2012, and stated that the lease satisfies the applicable tenure requirement under the NCTE Regulations, 2014. It further submitted that the original affidavit on ₹100 stamp paper had inadvertently not been furnished and stated that the same could be submitted immediately. The institution submitted that the deficiencies relating to the Non-Encumbrance Certificate, Change of Land Use, Mutation, Building Plan, Building Completion Certificate and other documents had arisen in the context of the land being held on lease, and stated that the documents furnished were genuine and reflected compliance with the applicable land, building and operational requirements. The appellant further submitted that Late Shri Krishan Singh, father of the Chairperson of the Trust and a key trustee involved in the application process, had suffered COVID-19-related complications and undergone dialysis thrice a week since 2020, which, according to the institution, affected the administrative functioning of the Trust; he subsequently passed away in December 2022, resulting in further delay in completing the procedural compliances. The institution submitted that it was willing

to furnish the deficient documents and undertake the necessary corrective steps as directed by NCTE. It requested reconsideration of the refusal order dated 07.01.2025, acceptance of the private lease deed or an opportunity to furnish alternative documents, permission to submit the original affidavit on ₹100 stamp paper, and reasonable time to address the deficiencies, and sought reinstatement of its application for the B.Ed. course for the academic session 2025-26.

The Committee noted that the matter was earlier considered in its 6th Meeting held on 28.05.2025. The Committee, upon consideration of the material available on record, subsequently passed the appellate order dated 24.06.2025, rejecting the appeal and confirming the refusal order dated 07.01.2025 issued by the Northern Regional Committee. The Committee thereafter took note of the communication dated 13.08.2026 received from the Northern Regional Committee enclosing the order dated 09.07.2026 passed by the Hon'ble High Court of Delhi at New Delhi in W.P.(C) No.17764/2026 and CM APPL. No.73409/2026. The Hon'ble High Court, while disposing of the writ petition, directed the Appellate Committee to grant the appellant institution another hearing and decide the matter in accordance with the extant rules and the judgment relied upon by the petitioner. The relevant portion of the order, as placed on record, reads:

1. ***This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-***

"A. Issue a writ of mandamus or any other appropriate writ, order or direction quashing and setting aside the ex-parte order/decision dated 24.06.2025 passed by the Respondent in the statutory appeal preferred under Section 18 of the NCTE Act, 1993;

B. Issue a writ of mandamus or any other appropriate writ directing that the Petitioner's institution be permitted to participate in the on-going counselling/admission process for the B.Ed. course for the academic session 2025-2027, subject to the final outcome of the present petition;

C. Grant interim relief staying the operation and effect of the impugned ex-parte order dated 24.06.2025 during the pendency of these proceedings...."

2. ***The petitioner No. 1 is a private institute/college running a B.Ed Course. The petitioners made an application for recognition with the respondent for B.Ed Course for the academic session 2025-26 and onwards.***
3. ***The said permission was refused by the Northern Regional Committee. Against the said order, the petitioner filed an appeal before the Appellate Committee of the NCTE.***

4. *As per Mr. Singh, learned counsel for the petitioner, the appeal was dismissed without hearing the petitioner. The same was due to the fact that the notice of hearing was sent to the wrong e-mail ID of the petitioner.*
5. *The condition under Regulation 8(4)(i) of the NCTE Regulations, 2014, for grant of recognition is as under:-*
 - (i) *The institution or society sponsoring the institution is in possession of required land on the date of application;*
 - (ii) *The land is free from all encumbrances;*
 - (iii) *The land is on ownership basis or on government lease for a period of not less than 30 years. However, where the state laws permit a maximum lease period of less than 30 years, then that law shall prevail.*
6. *Since the petitioner's land is on a 21-year private lease, the recognition has been refused.*
7. *My attention has been drawn to a judgment of the Allahabad High Court in W.P(C) 29553/2018 titled Dr RP Memorial Degree College v. State of UP thru Education Department. The relevant paragraph reads as under:-*
"The intent of the scope of Section 14 and 15 of the Act is clearly discernible in the language used in section 14 and 15 of the Act. The Act aims to promote systematic education for teachers training and thus seeks to achieve a socio beneficial effect on the society. The Council is bound under the statute to promote the systematic education amongst the teachers and thus is duty bound to act in furtherance of the object sought to be achieved. The regulatory mechanism and the powers conferred on the Council, in terms of the Section 32(1) and in terms of the Regulations as framed, clearly cannot be inconsistent with the objects sought to be achieved. The prescription of lease from 'Government' or 'Government institutions' alone clearly does not seem to achieve the objects sought to be promoted under the Act. There is no rational nexus as to how a 'Government' lease for thirty years suits the cause better than a registered lease for a period of ninety years (as is the case in the present writ). Although there is no challenge to the vires of Regulation 8(4), this court is of the view that the prescriptions of having the land as prescribed in Regulation 8(4) served a valid purpose, however the prescription of having a land on 'Government' lease or on a lease from 'Government institutions', appears to be arbitrary and to save it from it being declared ultra vires, the same has to be read down to hold that the registered lease for more than thirty years which is validly recognized lease under the Transfer of Property Act has to be held to be an adequate compliance of the requirements as prescribed under the Regulation 8(4)(i) of the Regulations 2014."
8. *In this view of the matter, since the Regulation 8(4)(i) has been read down, I am of the view that the appellate committee must give the petitioner institute another hearing and decide the same in accordance with extant rules and the judgment of the Allahabad High Court.*
9. *Additionally, the appellate committee shall also keep in mind that the petitioner institute is intending to run a college in Doda, which has only one private B.Ed college for two districts, namely, Doda and Ramban.*
10. *The needful shall be done expeditiously and not later than 4 weeks from today.*
11. *The email of the petitioner is dodacollegeofeducationdoda@gmail.com.*
12. *In case the petitioners are aggrieved by the order of the appellate authority, the petitioners will be free to approach to this Court.*
13. *With these directions, the petition is disposed of.*

The Appeal Committee, in compliance with the aforesaid judicial direction, reconsidered the matter and afforded the appellant institution an opportunity to present its case. During the online hearing, the appellant reiterated that the land of the institution is held under a registered private lease deed for a period of 21 years, duly registered before the Sub-Registrar, Doda. The appellant further submitted that the institution had been established and was functioning under the regulatory framework prevailing in the erstwhile State of Jammu & Kashmir and that, at the relevant time, the requirements presently raised regarding requirement of land as per clause 8 (4) (i) of NCTE Regulations 2014 is not applicable to the institution. The appellant also submitted that it has been functioning for a considerable period, possesses the requisite infrastructure, has engaged employees and has been conducting the programme within the prescribed intake and in accordance with the norms applicable to it. The appellant accordingly sought consideration of its case in the light of its existing infrastructure and instructional facilities.

The Appeal Committee has considered the aforesaid submissions in the light of the directions of the Hon'ble High Court and the judgment referred to therein. The Committee notes that the foundational issue remains the legal sufficiency of the land possessed by the appellant institution for the purpose of grant of recognition under the NCTE regulatory framework. Clause 8(4)(i) of the NCTE (Recognition Norms and Procedure) Regulations, 2014 provides:

“No institution shall be granted recognition under these regulations unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than thirty years. In cases where under relevant State or Union territory laws the maximum permissible lease period is less than thirty years, the State Government or Union territory administration law shall prevail and in any case no building shall be taken on lease for running any teacher training programme.”

The Committee carefully considered the judgment in Dr. R.P. Memorial Degree College v. State of U.P., W.P.(C) No. 29553/2018, relied upon by the appellant. In the said case, pursuant to an earlier order of remand dated 18.07.2013, recognition for

the D.El.Ed. course had been granted for the academic session 2016–17. The institution was also holding a registered lease deed for 90 years. The subsequent rejection was primarily on the issue of land requirement under Regulation 8(4) of the NCTE Regulations, 2014. The Hon'ble Court held that such a registered lease exceeding 30 years could satisfy the relevant land requirement and directed processing of the case, subject to other applicable requirements. The said judgment, therefore, was rendered in the peculiar facts and circumstances of that case and did not grant any unconditional right to recognition. In the present case, the appellant is seeking recognition on the basis of a private lease deed for 21 years. The appellant has not produced any ownership document or lease from the Government/Government institution satisfying the applicable regulatory requirement. The factual and regulatory circumstances of the two cases are, therefore, materially distinguishable. The Committee accordingly finds that the aforesaid judgment does not create any automatic exemption from the applicable land requirement or confer entitlement to recognition on the present appellant. The Committee has duly considered the judgment in compliance with the directions of the Hon'ble High Court and examined its applicability to the present case. The RD, NRC further informed that an appeal against the said judgment has been filed before the Hon'ble High Court, Lucknow Bench. The NRC is presently taking necessary steps for revival and listing of the said appeal. Accordingly, the present case is required to be decided independently on the basis of the applicable NCTE Regulations and the documents available on record.

The Committee further finds that the appellant's contention that the requirements presently applicable were not insisted upon under the erstwhile regulatory framework of Jammu & Kashmir does not, in the absence of any specific statutory exemption, transitional protection, NCTE order or judicial direction, establish a continuing entitlement to recognition contrary to the regulatory requirements governing consideration of its application. The Committee also notes that the deficiencies relating to the Non-Encumbrance Certificate, Change of Land Use, Mutation, Building Plan, Building Completion Certificate and consequential land-related documentation cannot be considered independently of the foundational land-possession requirement. The appellant's reliance upon its past functioning, infrastructure, employees, intake and alleged compliance with other norms has also been considered. Such circumstances cannot substitute fulfilment of a mandatory eligibility requirement prescribed under the NCTE regulatory framework. The Committee further notes

that the appellant institution was afforded opportunities during the regulatory as well as appellate proceedings to establish compliance with the applicable requirements. However, the appellant has failed to place on record legally acceptable documentary evidence establishing that the 21-year private lease satisfies the applicable requirement for grant of recognition.

The Appeal Committee, upon comprehensive, independent, and objective consideration of the entire material available on record, finds that the impugned order does not suffer from any procedural infirmity, perversity, non-consideration of relevant material, arbitrariness, or violation of the principles of natural justice and foundational deficiency relating to lawful possession of land remains unresolved. The record unequivocally demonstrates that meaningful opportunity was afforded to the applicant institution to submit its reply together with supporting documentary evidence; and the deficiencies were expressly articulated, specifically identified, and formally communicated. The grounds of refusal pertain to essential and mandatory statutory requirements governing infrastructural adequacy and overall regulatory compliance under the NCTE (Recognition Norms and Procedure) Regulations, 2014, as amended from time to time. The deficiencies recorded are substantive and foundational in character, striking at the very root of eligibility for grant or restoration of recognition. They cannot be trivialized as technical irregularities nor cured by post facto explanations unsupported by contemporaneous, verifiable compliance. The Appeal Committee further holds that restoration of recognition, once lawfully refusal, can be contemplated only upon strict, demonstrable, and contemporaneous compliance with the statutory framework as existing at the time of consideration. An applicant institution does not acquire any vested, accrued, or equitable right merely by submitting a representation bereft of credible and legally sustainable proof of compliance or demonstrable readiness to lawfully conduct the programme. Recognition under the NCTE Act, 1993 is regulatory, conditional, and contingent upon continuous adherence to statutory norms, and cannot be claimed as a matter of entitlement in the absence of proven compliance. In the present case, despite adequate and repeated opportunities afforded by the concerned Regional Committee, the applicant institution has failed to establish fulfillment of the mandatory requirements prescribed under the NCTE Act, 1993 and the Regulations framed thereunder. Accordingly, no ground for appellate interference is made out, and the impugned order warrants confirmation.

Noting the submissions contained in the Appeal Report, the documents available on record, and the arguments advanced during the online hearing, the Appeal Committee, upon independent, objective, and comprehensive consideration of the entire material on record, holds that the appellant institution continues to remain in material, substantive, and continuing non-compliance with the mandatory requirements prescribed under the NCTE Act, 1993 and

the NCTE (Recognition Norms and Procedure) Regulations, 2014, as amended from time to time. The Appeal Committee finds that the deficiencies identified are fundamental in character and go to the very threshold of eligibility for restoration and continuation of recognition. Such non-fulfilment of essential statutory conditions cannot be construed as technical, procedural, or rectifiable irregularities; rather, they constitute failure to satisfy the binding and non-derogable regulatory framework governing grant and continuation of recognition for teacher education programmes. The Appeal Committee further holds that the Northern Regional Committee acted strictly within the confines of its statutory jurisdiction and in faithful discharge of its regulatory mandate. The action impugned is neither arbitrary nor procedurally flawed but is firmly anchored in the applicable statutory provisions. Accordingly, in exercise of powers conferred under Section 18 of the NCTE Act, 1993, the Appeal Committee finds no legal, factual, or procedural infirmity warranting appellate interference; the impugned order dated 07.01.2025 is hereby confirmed, and the appeal stands rejected.

IV. **DECISION:** -

After careful consideration of the Appeal Report, the refusal order dated 07.01.2025 passed by the Northern Regional Committee, the earlier appellate order dated 24.06.2025, the order dated 09.07.2026 passed by the Hon'ble High Court of Delhi in W.P.(C) No.17764/2026 and CM APPL. No.73409/2026, the records available on file, the documents placed on record and the submissions advanced by the appellant institution, the Appeal Committee, in exercise of its appellate jurisdiction under Section 18 of the NCTE Act, 1993, concludes that the appellant institution has failed to establish compliance with the mandatory land requirement prescribed under the NCTE (Recognition Norms and Procedure) Regulations, 2014, as amended. The Appeal Committee accordingly holds that the Northern Regional Committee was justified in refusing recognition for the B.Ed. programme and that no ground is made out for interference under Section 18 of the NCTE Act, 1993. The appeal is accordingly rejected and the refusal order dated 07.01.2025 issued by the Northern Regional Committee is confirmed. The appeal stands disposed of finally.*

उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।/The above decision is being communicated on behalf of the Appeal Committee.



उप सचिव (अपील)/ Deputy Secretary (Appeal)

Copy to: -

1. The Principal, Doda College of Education, 822 min, Khata No. 86/84 and 96 min, Ghat, B.P.O, Arnora, Doda, Jammu & Kashmir-182202.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Kartavya Bhawan 2, Central Secretariat, New Delhi-110001.

3. The Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Education Secretary, Department of Education, Mini Block Civil Secretariat, Jammu, J&K.



एनसीटीई अपीलिय प्राधिकरण में/ IN THE NCTE APPELLATE AUTHORITY

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi-110075

दिनांक/ Date – 18.08.2026

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-320/E-420212/2026 Appeal/14th (Emergent) Meeting, 2026
APPLNRC202615721

Serial No. 02 of 14th (Emergent) Meeting – 2026

Gandhi Memorial College of Education, Khasra No. 776-min, Nardani, Bhalwal, Jammu, Jammu & Kashmir-181123.	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
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Representative of Appellant	Mr. Satish Kumar Talashi, Principal
Respondent by	Regional Director, NRC
Date of Hearing	18.08.2026
Date of Pronouncement	18.08.2026

आदेश/ ORDER**I. GROUND OF REFUSAL**

The appeal of **Gandhi Memorial College of Education, Khasra No. 776-min, Nardani, Bhalwal, Jammu, Jammu & Kashmir-181123** dated 07.08.2026 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.NCTE/NRC/FR-2122-NRC-79947251/JAMMU AND KASHMIR/ 2020/REJC/35** dated 23.09.2025 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that “1. The institution was not prepared properly for inspection. Due to poor coordination, the VT members could not verify the infrastructure and instructional facilities of the institution. 2. The institution campus does not have accessible features like functional ramp, barrier free environment & toilet for differently abled persons. 3.The institution has not uploaded the latest Non-encumbrance Certificate and Land Use Certificate.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Satish Kumar Talashi, Principal of Gandhi Memorial College of Education, Khasra No. 776-min, Nardani, Bhalwal, Jammu, Jammu & Kashmir-181123 appeared online to present the case of the appellant institution. In the appeal report, it is submitted that “1. The college is now prepared for inspection in terms of its updated infrastructure. 2. The college has made ground floor of all blocks accessible through ramps. 3. The fire safety certificate has been renewed for two years.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 14th (Emergent) Meeting, 2026 held on 18th August, 2026 considered the case of the appellant institution and carefully examined the Appeal Report, the impugned order passed by the concerned Regional Committee, the records available on file, the documents placed on record, and the submissions made by the appellant institution.

The Appeal Committee noted that the appellant institution submitted an application to the Northern Regional Committee for grant of recognition, seeking permission for running the B.Ed. Programme on 31.08.2020. The recognition of the

institution for B.Ed. programme was refused by the NRC vide order dated 23.09.2025.

The Appeal Committee considered the case in the present meeting and noted the submissions of the appellant institution, Gandhi Memorial College of Education, Khasra No. 776-Min, Nardani, Bhalwal, Jammu, Jammu & Kashmir, in its appeal against the deficiencies earlier communicated by the competent Regional Committee. The appellant submitted that the institution is now prepared for inspection in view of the infrastructure stated to have been updated. It further submitted that the ground floor of all blocks has been made accessible through ramps. The institution also stated that the Fire Safety Certificate has been renewed for a period of two years.

The Committee also took note of the communication dated 11.08.2026 enclosing the order dated 22.07.2026 passed by the Hon'ble High Court of Jammu Kashmir & Ladakh at Jammu in LPA No. 144/2026 & Cav No. 1372/2026 and connected matters. The relevant portion of the said order, as placed on record, is reproduced below:

Caveat No. 1372/2026

01. With the appearance of Mr. Neeraj Verma, Advocate, caveat stands discharged.

LPA No. 144/2026

02. This intra-Court appeal has been directed against interim order dated 11.05.2025, passed by learned Single Judge of this Court in WP(C) No. 873/2026 titled 'Gandhi Memorial College of Education and Others v. Northern Regional Committee and Another', whereby appellants have been directed to grant temporary recognition/affiliation in favour of the respondent-Institute for conducting B.Ed. Programme for the academic session 2025-27.

03. With the consensus of learned counsels for the parties, this appeal is disposed of in the following terms:

- a. that respondent No. 1-Institute shall avail itself of the statutory remedy of appeal, against order dated 23.09.2025 passed by appellant No. 1, impugned in the writ petition, before the appropriate appellate authority under Section 18 of the National Council for Teacher Education Act 1993;**
- b. that in the event, such an appeal is preferred by respondent No.1, the appellate authority shall consider and decide the same on its merits within a period of three weeks from the date copy of this order is made available and the period of limitation shall not stand in adjudication;**

- c. *that appellants shall also be at liberty to conduct, physical inspection of the respondent-Institute, who shall coordinate in the complete verification of its title, infrastructure and institutional facilities; and*
- d. *that upon completion of the aforesaid exercise, a comprehensive report shall be placed by the appellants before learned Single Judge, who is requested to consider the application for interim relief afresh and pass appropriate orders as per law.*

04. With the aforesaid directions, present intra-court appeal stands disposed of, along with connected CM(s)."

The Appeal Committee, upon careful, independent, and objective consideration of the Appeal Report, the impugned order, the material available on record, and the submissions advanced during the hearing, records that at the appellate stage under Section 18 of the NCTE Act, 1993, the appellant institution has placed on record certain documents and a compliance report in purported rectification of the deficiencies noted in the impugned order. However, it is evident that a substantial portion of such material was either not placed before the concerned Regional Committee at the time of passing of the impugned order or has not undergone due verification and authentication by the competent authority in accordance with the NCTE (Recognition Norms and Procedure) Regulations, 2014, as amended from time to time. Under the statutory scheme of the NCTE Act, 1993 read with the aforesaid Regulations, grant, continuation, or modification of recognition is contingent upon strict, demonstrable, and contemporaneous compliance with the prescribed norms and standards relating to land, building, instructional and infrastructural facilities, duly qualified and approved faculty, and other regulatory parameters, which must be established through duly authenticated and verifiable documentary evidence. Mere assertions, undertakings, or reliance upon unverified documents cannot displace or invalidate the findings recorded by the Regional Committee in exercise of its statutory jurisdiction. The Appeal Committee reiterates that the statutory burden to establish compliance rests squarely upon the applicant institution, and no vested, accrued, or equitable right arises merely upon submission of representations or additional documents unless such compliance is established in accordance with law at the time of consideration. The regulatory framework does not contemplate post facto regularization on the basis of unverified, incomplete, or subsequently produced material. At the same time, the Committee notes that the deficiencies recorded in the

impugned order are predominantly factual in nature and are capable of objective verification within the statutory framework. The additional documents placed on record during appellate proceedings are relevant to the issues under consideration and, in the interest of procedural fairness, warrant examination by the competent authority. In this context, the Committee takes note of the principle laid down by the Hon'ble High Court of Delhi in Rambha College of Education v. NCTE [W.P.(C) No. 3231/2016], wherein it has been held that documents produced at the appellate stage may be examined for the limited purpose of verification, subject to scrutiny by the competent authority.

Noting the submission and verbal arguments advanced during the hearing, having regard to the above, the Appeal Committee, in exercise of its appellate jurisdiction under Section 18 of the NCTE Act, 1993, is of the considered view that limited interference is warranted solely for the purpose of ensuring factual verification and regulatory scrutiny of the appellant institution's claim of compliance. Such interference is confined to ensuring procedural fairness and regulatory consistency and shall not be construed as dilution of the mandatory statutory requirements or as any expression on the merits of the appellant's claims. Accordingly, the impugned order dated 23.09.2025 is set aside and the matter is remanded to the Northern Regional Committee for fresh consideration and comprehensive re-examination of the appellant institution's claim of compliance. The appellant institution shall, within fifteen (15) days from the date of receipt of this order, submit to the concerned Regional Committee a duly notarized affidavit affirming the authenticity, correctness, and completeness of all documents relied upon, along with certified copies of all approvals, certificates, and statutory documents issued by the competent authorities in support of its claim. The concerned Regional Committee shall examine the entire record strictly in accordance with the provisions of the NCTE Act, 1993 and the NCTE (Recognition Norms and Procedure) Regulations, 2014 (as amended), verify the authenticity and adequacy of the documents, and, if deemed necessary, undertake further verification, including through appropriate means such as a Visiting Team, for the purpose of ascertaining factual and regulatory compliance. Thereafter, the Regional Committee shall pass a reasoned and speaking order strictly in accordance with law, uninfluenced by any observations contained herein, within the prescribed timeframe. The Regional Committee, being the custodian of records, shall ensure authenticity, completeness,

and proper verification of all documents before passing any consequential order and shall ensure time-bound disposal of the matter. It is expressly clarified that this remand is confined to ensuring due verification and regulatory scrutiny and shall not be construed as conferring any presumption, equity, or vested right in favour of the appellant institution. Failure to establish strict and complete compliance with the prescribed statutory requirements shall entail rejection in accordance with law, without any further opportunity.

IV. DECISION:

After careful consideration of the Appeal Report, the impugned order, order dated 22.07.2026 passed by the Hon'ble High Court of Jammu Kashmir & Ladakh at Jammu, the records available on file, and the submissions made by the appellant institution, the Appeal Committee of the Council, in exercise of its appellate jurisdiction under Section 18 of the NCTE Act, 1993, sets aside the impugned order dated 23.09.2025 and remands the matter to the Northern Regional Committee for fresh consideration and re-examination in accordance with the provisions of the NCTE Act, 1993 and the NCTE Regulations, 2014 (as amended), subject to the directions contained herein. The appellant institution shall submit the requisite documents within fifteen (15) days, whereupon the Regional Committee shall proceed in accordance with law and pass a reasoned and speaking order within the stipulated timeframe.

उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।/The above decision is being communicated on behalf of the Appeal Committee.



उप सचिव (अपील)/ Deputy Secretary (Appeal)

Copy to: -

1. **The Principal, Gandhi Memorial College of Education, Khasra No. 776-min, Nardani, Bhalwal, Jammu, Jammu & Kashmir-181123.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Kartavya Bhawan 2, Central Secretariat, New Delhi-110001.
3. The Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Education Secretary, Department of Education, Mini Block Civil Secretariat, Jammu, J&K.