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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 394/2026**
S.S.G. PAREEK P.G. COLLEGE OF EDUCATION

.....Petitioner

Through: Mr. Gaurav Arora, Adv.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

.....Respondents

Through: Mr. Anuj Kapoor, Mr. Shivom Sethi,
Mr. Nandeesh Nanda, Advs.
Mr. Nipun Jain, Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

13.01.2026

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1. This writ petition is filed on behalf of the petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

*“(a) quash the decision taken by the Respondent No.2 in its 440th meeting at S. No. 17, whereby, the Respondent No.2 has Refused the application of the Petitioner Institution submitted for transition of its B.A. B.Ed./ B.Sc. B.Ed. course to I.T.E.P., for the academic session 2026-27; without following the mandatory procedure; and
(b) direct the Respondent No.2 to restore, reconsider & decide the aforesaid application of Petitioner Institution, submitted for transition of its B.A. B.Ed. / B.Sc. B.Ed. course to I.T.E.P., for the session 2026-27; within a reasonable time & in accordance with the provisions made therefor;....”*

2. Issue notice.



3. Mr. Kapoor, learned counsel accepts notice for the Respondents.
4. This order is being passed in view of a similar order dated 24.12.2025 passed in W.P.(C) 19758/2025, covering the present issue. Based upon the said order and using the same reasons and expressions, this order is being passed.
5. The challenge in the present writ petition is directed against the decision taken in 440th meeting at S.No. 17 by the Western Regional Committee, whereby the petitioner's application dated 03.10.2025 seeking transition of the existing B.A. B.Ed./B.Sc. B.Ed. programme to the Integrated Teacher Education Programme ("**I.T.E.P.**") for the academic session 2026-27 was declined under Sections 14/15(3)(b) of the National Council for Teacher Education Act, 1993 ("**NCTE Act**").
6. Mr. Kumar, learned counsel for the petitioner, submits that the impugned decision has been rendered in breach of the mandatory procedure prescribed under the proviso to Section 14(3)(b) of the NCTE Act, which obligates the Regional Committee to afford a reasonable opportunity to the institution to make a written representation prior to refusal of recognition. It is further stated that the petitioner would be satisfied if a direction is issued to the respondents to grant such opportunity by issuance of a show cause notice.
7. *Per contra*, learned counsel for the respondents states that the petition is not maintainable as the impugned order does not state "refusal" of recognition. An application which is incomplete or not accompanied by requisite documents is liable to be rejected summarily under Regulation 7(1) and (2) of the National Council of Teacher Education (Recognition Norms and Procedure) Regulations, 2014, whereas



refusal of recognition under Regulation 7(3) is attracted only in cases involving furnishing of false information or concealment of material facts having a bearing on the decision-making process. It is argued that the impugned decision only notes deficiencies in the petitioner's application, including failure to establish that it is a multidisciplinary institution and failure to apply under the merger/collaboration category as per NCTE guidelines. The decision, therefore, constitutes a rejection and not a refusal, obviating the requirement of granting an opportunity of written representation under Section 14(3)(b) of the NCTE Act.

8. I have heard the learned counsels for the parties.
9. The submissions advanced on behalf of the respondents cannot be accepted. A bare perusal of the decision shows that the decision is founded on alleged deficiencies and shortcomings attributed to the petitioner. Significantly, the order expressly invokes Sections 14/15(3)(b) and Section 17(4) of the NCTE Act and records a denial of transition to the I.T.E.P. course. Once such deficiencies form the basis of denial, the respondents cannot be heard to contend that no opportunity was required to be afforded to the petitioners to explain or remedy the same. It is well settled that any administrative decision entailing civil consequences must conform to the principles of natural justice.
10. The impugned decision does not disclose compliance with the proviso to Section 14(3)(b) of the NCTE Act, which mandates that before recognition is refused, the concerned institution must be given a reasonable opportunity to make a written representation. Denial of transition from an existing recognised course attracts this requirement.



The absence of such opportunity renders the impugned decision unsustainable in law.

11. The attempted distinction drawn by the respondents between “rejection” and “refusal” under Regulation 7 of the Regulations, 2014 is of no assistance. Regulation 7 prescribes the procedure for processing applications: Regulation 7(1) provides for rejection of incomplete applications, Regulation 7(2) enumerates cases of summary rejection, while Regulation 7(3) contemplates refusal where false information or concealment of facts is involved. The present case may fall under Regulation 7(1) and not Regulation 7(3); however, this procedural distinction is irrelevant for the purposes of Section 14(3)(b) of the NCTE Act.
12. The proviso to Section 14(3)(b) mandates that before refusing recognition, the Regional Committee must afford the institution a reasonable opportunity to make a written representation. This requirement equally applies where a recognised institution seeks transition to new courses. Clause (b) is attracted when the institution is found not to satisfy the requirements under Clause (a), including adequacy of infrastructure, finances, and staff. The expression “refusing” in Section 14(3)(b) cannot be equated with “refusal” in Regulation 7(3). Accordingly, the contention that no opportunity of representation was required is wholly misconceived and is rejected.
13. The reliance placed by the respondents on Clauses 6(iii) and 12 of the Public Notice dated 12.09.2025 as the source of power to summarily reject the application is equally untenable. An executive order or circular cannot override or operate in derogation of a statutory



provision. Where the statute expressly mandates compliance with principles of natural justice, any executive order or circular to the contrary must yield to the statute.

14. In view of the above, without examining the merits of the deficiencies noted in the impugned order, the writ petition is allowed to the limited extent of setting aside the decision taken in 440th meeting at S. No. 17 held on 10-13.11.2025 on the ground of violation of principles of natural justice. The respondents are at liberty to issue a show cause notice to the petitioners specifying the alleged deficiencies and affording them an opportunity to submit a written representation. Upon receipt thereof, the petitioner shall file their response within a period of two weeks. Thereafter, the respondents shall pass a reasoned order in accordance with law within two weeks and communicate the same to the petitioner. It is clarified that the petitioners shall remain at liberty to avail appropriate legal remedies, if aggrieved by the decision so rendered.
15. This Court has not expressed any opinion on the merits of the case.
16. The present writ petition is disposed of along with pending applications, if any.

JASMEET SINGH, J

JANUARY 13, 2026/sp