HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 21566/2026
CNR: RJHC021034892026 | URN: CW / 45292U / 2026

Tirdiya Paramedical College, Address- Laxmangarh, Sikar (Raj.), Running By Society Rama Shikshan Auvm Kalyan Samiti, Badhadhar, Sikar (Raj.) Through Its Secretary Ram Swaroop S/o Shri Kajor Mal, 52 Aged About Years, R/o - Ward No.-04, Badhadhar, Sikar, Rajasthan.

----Petitioner

Versus

1. The State Of Rajasthan, Through Principal Member Medical And Health Department, Govt. Of Rajasthan, Secretariat, Jaipur.
2. The Deputy President (Group-1), Department Of Medical And Helath, Govt. Secretariat, Jaipur.
3. The Rajasthan State Allied And Healtcare Council, Jaipur Rajasthan Through Secretary.

----Respondents

For Petitioner(s) : Mr. Om Prakash Sharma, Adv.
For Respondent(s) : Mr. Bharat Saini, Adv.

HON'BLE MR. JUSTICE ANAND SHARMA

Order

27/10/2026

1. Both the learned counsel jointly submit that the issue involved in the writ petition is squarely covered by order dated 01.05.2026 passed by the Co-ordinate Bench of this Court at Jodhpur in **S.B. Civil Writ Petition No.16660/2025 (Dr. Dharmendra Paramedical College Vs. The State of Rajasthan & Ors.)**, wherein following order has been passed:-

> *"1. The present writ petition under Article 226 of the Constitution of India has been filed by the petitioner, whereby following reliefs have been sought : -*

" It is, therefore, respectfully prayed that this writ petition may kindly be allowed and by an appropriate writ, order or direction :-

i. The Respondent No. 1 may be directed to grant the NOC to the Petitioner institute to conduct DMLT, DRT, DOTT and D.ECGT courses for the academic session 2025-2026 for 50 seats each;

ii. That the Respondent no.2 may be directed grant recognition to the Petitioner Institute to conduct DMLT, DRT, DOTT and D.ECGT courses for the academic session 2025-2026 and onwards;

iii. The Petitioner may be permitted to undertake DMLT, DRT, DOTT and D.ECGT courses for the academic session 2025-2026;

iv. The Respondent no. 1 and Respondent no.2 may also be directed to provide the inspection report to the Petitioner Institute;

v. That the Respondent no. 4 (Private Federation) may be directed to allot students to the Petitioner's Institute on vacant seats;

vi. Any other appropriate relief which this Hon'ble Court deems just and proper in the facts and circumstances of the case may kindly be passed in favour of the Petitioner."

2. Learned counsel for the petitioner submits that the applications preferred by the petitioner were not considered by concerned respondent-authorities. It is further contended that the present controversy stands adjudicated by the Hon'ble Supreme Court i.e. ***Dr. Dayal Institute of Paramedical Technology versus The State of Rajasthan & Ors****. passed in* ***Special Leave to Appeal (C) No(s). 31145/2025 with SLP (C) No.31167/2025*** *dated 09.04.2026. The order dated 09.04.2026 passed by the Hon'ble Apex Court is reproduced herein below :-*

"1. The present special leave petitions arise out of writ petitions challenging a Moratorium Order dated 09.12.2024 against grant of permission for commencing additional courses, pending formulation of Regulations under the National Commission for Allied & Healthcare Professions Act, 2021 ("NCAHP Act"). The petitioner institutions are aggrieved by concurrent dismissal by the Single Judge as well as the Division Bench of the High Court.

2. On 07.04.2026, we had directed the Officer in Charge of the National Commission for Allied and Healthcare Profession ("NCAHP") to explain reasons for delay in bringing the Regulations in force, thereby paralyzing the entire process. Mr. Kanakamedala Ravindra Kumar, learned Additional Solicitor General, has taken instructions in the matter and has brought to our notice a letter of NCAHP dated 08.04.2026 the Ministry of Health and Family Welfare. The letter is reproduced for ready reference.

"F.No.Z/103/2024-AHS-DOHFW DEPARTMENT
Government of India
Ministry of Health & Family Welfare

National Commission for Allied and Healthcare Professions
2nd Floor, Academic Block, NIHFW Campus, Munirka, New Delhi-110067
Date: 8th April, 2026

To,
1. The Secretaries of all the State Allied and Healthcare Councils.

2. All Principal Secretary/Secretary, Health & Family Welfare, State Governments/Union Territories Subject: Allied and Healthcare Institutions/Courses for the Academic Year 2026-27, under the NCAHP Act, 2021-reg.
Ref:(1) Order No. Z/103/2024-AHS-DOHFW DEPARTMENT, dated 09.12.2024.
(2) Notices dated 24.04.2025, 15.10.2025, 29.10.2025, 12.11.2025, 26.12.2025, 30.01.2026, 20.03.2026 and 27.03.2026.
(3) Letter No. Z-1011/2026/NCAHP (AHS)/UGC/FTS No. 8384323 dated 09.01.2026 and 02.03.2026.

Sir/Madam,

1. I am directed to convey that the regulations for recognition of institution(s) for Allied and Healthcare professions as per the National Commission for Allied and Healthcare Professions Act, 2021(NCAHP Act, 2021) are under process.

2. It is informed that the Commission, vide notices dated 24.04.2025, 15.10.2025, 29.10.2025, 12.11.2025, 26.12.2025, 30.01.2026, 20.03.2026 and 27.03.2026 have released 17 competency-based curricula covering around 28 professions under the NCAHP Act, 2021, which have also been uploaded on the official website of the Commission. The said curricula shall be implemented from the Academic Year 2026-27. These curricula have also laid down the minimum norms for the Allied and Healthcare Institutions.

3. It is also informed that vide letter No.Z-1011/2026/NCAHP(AHS)/UGC/FTS No. 8384323 dated 09.01.2026 and 02.03.2026, the nomenclature, admission eligibility criteria, duration and other common criteria relating to various Allied and Healthcare courses for Under Graduate (UG) & Post Graduate (PG) Degrees and Diploma were conveyed.

4. The regulations for recognition of Allied and Healthcare institutions are under process, and requests/applications for starting new Under Graduate (UG) & Post Graduate (PG) Degrees and Diploma courses and institutions in Allied and Healthcare are being received for the new academic year 2026-27. Therefore, the following directions are issued for the Academic Year 2026-27 or till the regulations of minimum standards for institutions are

notified by the Commission, whichever is earlier, for a smooth transition:

4.1. The existing Allied and Healthcare courses run by Institutions whose curricula have been approved by the NCAHP are allowed to run those courses, subject to the following conditions:

4.1.1. Adoption of approved curricula, degree nomenclature, admission eligibility criteria and other common criteria relating to the respective Allied and Healthcare course(s) as approved by NCAHP.

4.1.2. Efforts to be made to improve the physical infrastructure, establishing laboratories and faculty requirements aligning with the curricula.

4.1.3. Availability of clinical practising facility of the institution running the courses or an MoU/contract with the practising facility aligning with the curricula.

4.1.4. Seats intake capacity (minimum/maximum) in the course(s) shall be aligned with the curricula.

4.2. Increase in seat intake capacity (minimum/maximum) for existing courses of Allied and Healthcare institutions aligning with the approved curricula is allowed, subject to the following conditions:

4.2.1. Adoption of approved curricula, degree nomenclature, admission eligibility criteria and other common criteria relating to the respective Allied and Healthcare course(s) as approved by NCAHP.

4.2.2. Physical infrastructure, laboratories and faculty requirements are to be aligned with the approved curricula.

4.2.3. Availability of clinical practising facility of the institution running the courses or MoU/contract with the practising facility aligning with the curricula.

4.2.4. Seats intake capacity (minimum/maximum) in the course shall align with the approved curricula.

4.2.5. Inspection may be carried out by the State Government/UT/University. The inspection team shall have atleast three members, and out of

these, two members shall be expert Allied and Healthcare Professionals of the concerned domain (course), preferably from the State Allied and Healthcare Council (SAHC)/ Government sector. The Institution will keep the details of the inspection report for future verification.

4.3. Starting of new courses of approved curricula, either in existing Allied and Healthcare institutions or in new Allied and Healthcare institutions are allowed, subject to the following conditions:

4.3.1. Essentiality Certificate (EC) is to be obtained from the concerned State Government/Union Territory along with the submission of an affidavit duly providing assurance of compliance aligning with the approved curricula.

4.3.2. Adoption of curricula, degree nomenclature, admission eligibility criteria and other common criteria relating to the respective Allied and Healthcare course(s) as approved by NCAHP.

4.3.3. Physical infrastructure, laboratories and faculty requirements are to be aligned with the approved curricula.

4.3.4. Availability of clinical practising facility of the institution running the courses or MoU/contract with the practising facility aligning with the curricula.

4.3.5. Seats intake capacity (minimum/maximum) in the course shall align with the approved curricula.

4.3.6. The permission/approval of the Atomic Energy Regulatory Board (AERB) is to be obtained, wherever required.

4.3.7. Inspection may be carried out by the State Government/UT/University. The inspection team shall have atleast three members and out of these, two members shall be expert Allied and Healthcare Professionals of the concerned domain (course), preferably from the State Allied and Healthcare Council (SAHC)/ Government sector. The Institution will keep the details of the inspection report for future verification.

4.4. The Allied and Healthcare courses for professions scheduled under the NCAHP Act whose curricula have not yet been approved are not allowed to start such new course(s).

5. These interim arrangements are being made to facilitate a smooth transition and shall be subject to the final regulations as and when notified by the Commission. Once the relevant regulations are notified, the Allied and Healthcare institutions shall follow the regulations.

6. Approval under these transitory instructions will not confer any rights. The Allied and Healthcare institutions shall be solely responsible for any contraventions.

7. It supersedes the order No.Z/103/2024-AHS-DOHFW DEPARTMENT, dated 09.12.2024 of the Commission.

8. This issues with the approval of the competent authority.

Encl: As Above

Yours faithfully,
sd/-
(Rajender Singh Sidhu)
Under Secretary, NCAHP

Copy for information to:
1. The Secretary, University Grant Commission (UGC), New Delhi

2. Deputy Secretary (AHS), Ministry of Health and Family Welfare, New Delhi

3. All Allied and Healthcare Institutions (through website of the Commission"

3. Apart from Mr. Kanakamedala Ravindra Kumar, learned Additional Solicitor General, we also heard Mr. Umesh Balonda, Secretary of NCAHP. They have submitted that regulatory mechanism is being put in place and the clarification and directions under the letter dated 08.04.2026 will enable the institutions, like the petitioners, to seek permissions to offer additional courses. Mr. Chandrasheker Chakkalabbi, learned counsel for the petitioner is satisfied with the recourse provided under letter dated 08.04.2026 and requested us to dispose of the special leave petition in terms of the said letter.

4. The NCAHP will ensure that all authorities or the duty bearers under the NCAHP Act, coupled with those to whom the letter dated 08.04.2026 is addressed, act efficiently and ensure that applications are taken up and disposed of expeditiously. The obligation to monitor such an action is certainly on the NCAHP.

5. With these observations, the present Special Leave Petitions stand disposed of.

6. Pending application(s), if any, shall stand disposed of."

3. Learned counsel for the respondent(s) does not refute the fact that the controversy involved in the present writ petition has been adjudicated by the Hon'ble Supreme Court in ***Dr. Dayal Institute of Paramedical Technology versus The State of Rajasthan & Ors****. (supra).*

*4. In view of the above, the present civil writ petition stands disposed of in light of the directions issued in **Dr. Dayal Institute of Paramedical Technology versus The State of Rajasthan & Ors**. (supra).*

5. Stay petition and all pending application(s), if any, shall stand disposed of."

2. In view of consensus arrived at between learned counsel for the parties, this Court deems it just and proper to dispose of this writ petition in the same terms and with same directions as given in the aforesaid case of **Dr. Dharmendra Paramedical College (supra)**.

3. Pending application(s), if any, stand(s) disposed of.

(ANAND SHARMA),J

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