

**104 +105 CWP-26047-2025
CWP-28151-2025 &
CWP-28872-2025**

KAPIL NATH AND OTHERS

V/S

UNION OF INDIA AND OTHERS

Present: Ms. Shruti Jain Goyal, Advocate with
Mr. Kanwal Goyal, Advocate and
Ms. Sheena Dahiya, Advocate
for the petitioners (in all cases).

Mr. Anil Chawla, Senior Panel Counsel
for respondent No.1-UI in CWP-26047-2025.

Mr. Himanshu Malik, Senior Panel Counsel
for the respondent(s)-Union of India in CWP-28151-2025 and
CWP-28872-2025.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Karan S. Gill, Standing Counsel
for respondents No.2 and 3-NCTE (in all cases).

Since the controversy involved in these matters are identical, with the consent of the parties, these matter are heard together. Grievance raised is regarding denial of recognition to run 4 years B.A./B.Ed. programme by State Institute of Advanced Studies in Teacher Education (*for short*, 'SIASTE').

2. Pursuant to the earlier order passed in the matter, an affidavit has been filed on behalf of the State which is on record. This affidavit is perused by the Court with the assistance of the State counsel and also the Officer(s) present in Court. It transpires that initially, in the year 2013, an Institute known as *Prarambh* was established by the State of Haryana at District Jhajjar for award of degree in education, which was essential for appointment of teachers. The permission letter of National Council for Teacher Education (*for short*, 'NCTE') is on record as per which, 100 students were allowed admission in the institution.

3. On 07.06.2019, the State of Haryana moved an application before NCTE, seeking permission to admit 100 students each in degree course at two Regional Centres of *Prarambh* i.e. District Institute of Education and Training (for short, '*DIET*'), Kurukshetra and DIET, Gurugram. Thereafter on 11.07.2020, fresh application was moved by the State for upgrading DIET Kurukshetra and DIET Gurugram to two separate institutions known as SIASTE, Gurugram and SIASTE, Kurukshetra. The application dated 11.07.2020 is on record as Annexure P-14. This application is by the Director and is addressed to Chairperson, Northern Regional Committee of NCTE intimating that Government of Haryana has decided to start a Centre of SIASTE at Kurukshetra with an annual intake of 100 students. Building and infrastructure available at DIET Kurukshetra was to be used for running this Centre. Interestingly, this application further states that *all necessary details related to this will be submitted as and when required*. Subsequent applications have also been filed on behalf of the State seeking permission to admit students but it is not clear as to when such details were actually furnished.

4. It transpires that even without securing due permission from NCTE, the State of Haryana has proceeded to admit students at the two new institutions at Kurukshetra and Gurugram. The subsequent applications of the State have not been accorded consideration as according to NCTE there is no provision for grant of permission with retrospective effect, when such courses started.

5. Learned counsel for the petitioners as well as the State of Haryana contend that State has submitted applications which were required to have been dealt with as per Regulation 7 of National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014 but no shortcoming or deficiency of any kind was pointed out. It is, further,

contended that since applications for grant of permission were submitted prior to commencement of the course(s), therefore, it cannot be treated to be a case of regularization nor any permission from a retrospective date would be required.

6. The stand of the State in this regard does not *prima facie* appeal to the Court inasmuch as the application dated 11.07.2020 in fact was hardly an application inasmuch as necessary details of the institution were not submitted and the application merely stated that all necessary details will be submitted as and when required. We fail to understand as to how an application of this kind could be filed by the State. In such circumstances, hardly any occasion arises for the NCTE to point out any deficiency etc., in the application.

7. It is rather unusual for the State to have proceeded to admit students without obtaining any permission from NCTE. NCTE apparently has been writing to the Union Government to make necessary provisions for grant of permission with retrospective effect.

8. In the facts of the case, we find it to be a *prima facie* case of dereliction of duty on the part of the responsible Officers of the State of Haryana, who have allowed an unauthorized degree course to commence and have also played with the career of hundreds of students. This is a case in which the Court will have to appropriately determine the responsibility of those who have created this undesirable situation and determine the manner in which the students would have to be compensated. We, accordingly, refrain from issuing any direction to cure the unauthorized act of the respondents, at this stage.

9. In such view of the matter, we direct the Chief Secretary, Government of Haryana to conduct an appropriate inquiry and file his personal affidavit clearly indicating as to who are the persons responsible for

creating this unpleased situation. The Chief Secretary will also disclose as to how the State proposes to deal with the guilty Officers and compensate these students.

10. Let such exercise be undertaken and the requisite affidavit be filed by the next date of hearing.

11. Adjourned to **20.11.2025**.

12. Photocopy of this order be placed on the files of other connected cases.

[ASHWANI KUMAR MISHRA]
JUDGE

OCTOBER 15, 2025
Rahul Joshi

[ROHIT KAPOOR]
JUDGE