

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF APRIL, 2024

BEFORE

THE HON'BLE MR. JUSTICE M. NAGAPRASANNA

WRIT PETITION No.7435 OF 2021 (EDN – RES)

C/W

WRIT PETITION No.10079 OF 2021 (EDN – RES)

WRIT PETITION No.10297 OF 2021 (EDN – RES)

WRIT PETITION No.10374 OF 2021 (EDN – RES)

WRIT PETITION No.10379 OF 2021 (EDN – RES)

WRIT PETITION No.10381 OF 2021 (EDN – RES)

WRIT PETITION No.10751 OF 2021 (EDN – RES)

WRIT PETITION No.13569 OF 2021 (EDN – RES)

WRIT PETITION No.2137 OF 2022 (EDN – RES)

IN WRIT PETITION No.7435 OF 2021

BETWEEN:

- 1 . DR.SHARANYA MOHAN
D/O B.V.MURALI MOHAN
AGE: 24 YEARS
15/1, 4TH CROSS, LAKSHMI ROAD
SHANTINAGAR
BENGALURU – 560 027.
- 2 . DR. SWATHI G.N.,
D/O G.NARAYANA NAIK
AGE:23 YEARS
E36, FACULTY QUARTERS
INDIAN INSTITUTE OF SCIENCE
BENGALURU – 560 012.

R

- 3 . DR. ARSHIYA B.U.,
D/O B.M.UMMAR
AGE: 24 YEARS
#17/3 ABHIMAN, 1ST SECTOR
10TH MAIN, NEAR MEENAKSHI TEMPLE
NOBO NAGAR, CANARA BANK COLONY
BANNERGHATTA ROAD
BENGALURU – 560 076.
- 4 . DR. SANJANA ILAVARASU
D/O S.ILAVARASU
AGE: 23 YEARS
#15, 7TH 'A' CROSS
KAGGADASPURA
C.V. RAMAN NAGAR
BENGALURU – 560 093.
- 5 . DR. AISHWARYA SHUKLA
D/O PREMAL SHUKLA
AGE:23 YEARS
191/2, SHANTIVAN
GROUND FLOOR, 9TH CROSS
HMT LAYOUT , R.T.NAGAR
BENGALURU – 560 032.
- 6 . DR. PRARTHANA C.,
D/O CHANNAKRISHNA
AGE: 22 YEARS
#25, 4TH CROSS
MAHADESHWARANAGAR
MAIN ROAD, MARUTHI NAGAR
HEROHALLI, VN POST
BENGALURU – 560 091.
- 7 . DR. DHANUSHREE G.S.,
D/O SANJEEV KUMAR
AGE: 23 YEARS
#64, 4TH CROSS, 1ST MAIN ROAD

JJR NAGAR SOUTH
BENGALURU – 560 018.

- 8 . DR. MOHAMED JAVEED
S/O SHOWKATT ALI HUNSHEK
AGE:23 YEARS
#14, 2ND CROSS
MARAPPA THOTA, JC NAGAR
BENGALURU – 560 006.
- 9 . DR. VARSA PATRA
D/O NITYANANDA PATRA
AGE: 24 YEARS
DOOR NO.109, NISH - 7
APARTMENT NO. 28, RMV STAGE 2
BENGALURU – 560 094.
- 10 . DR. VARSHA N.R.,
D/O N.RAMALINGAIAH
AGE: 23 YEARS
FLAT NO 301
SOUTHERN CRYSTAL APARTMENT
AT NO.25, CHINNANNA LAYOUT
2ND MAIN ROAD, LR BANDE ROAD
KAVALBYRSANDRA BENGALURU
KARNATAKA – 560 032.
- 11 . DR. MANASA M.R.,
D/O M.S.RAVI
AGE:23 YEARS
#50, SHIVA SADANA, 2ND 'A' CROSS
BYRASANDRA, C.V.RAMAN NAGAR
BENGALURU – 560 093.
- 12 . DR. RAHUL TIWARI
S/O MR.SUNIL TIWARI
AGE:23 YEARS
4, OPP. SHIV BOOK DEPOT

SHIVSINGHPURA
NAWALGARH ROAD
SIKAR RAJASTHAN.

- 13 . DR. KULTEJ
S/O SATENDER
AGE: 23 YEARS
181/19, ARYA NAGAR
JHAJJAR, HARYANA - 124 103.
- 14 . DR. PUJA S.NAYAR
D/O SUKU K.NAYAR
AGE: 24 YEARS
SOWKUMARYA KRA B8 PR LANE
KURAVANKONAM KOWDIAR PO
TRIVANDRUM - 695 003.
- 15 . DR. SHASHANK SHEKHAR
S/O T.N.THAKUR
AGE:24 YEARS
132/9, J TYPE, SECTOR 30
GANDHINAGAR,
GUJARAT - 382 030.
- 16 . DR. SHRUTI SINGH
D/O SHIV RAJ SINGH
AGE:25 YEARS
213, C/3A GYASUDDINPUR,
PRAYAGRAJ, UTTAR PRADESH.
- 17 . DR. SHAMA HARIS VANIYAMBALATH
D/O HARIS V.P.,
AGE:25 YEARS
GREENS, J.T.ROAD, TEMPLE GATE P.O,
THALASSERY KANNUR, KERALA.
- 18 . DR. SRUTHI ASHOK
D/O ASOKAN A.S.,

AGE: 25 YEARS
AYINIKKATTIL HOUSE,
P.O.EDAKULAM, IRINJALAKUDA,
THRISSUR,
KERALA - 680 688.

- 19 . DR. ABHIRAM RAJEEV
S/O RAJEEVAN PILLAI K.,
AGE: 25 YEARS
RAKENDU, PERUVELIKKARA P O,
WEST KALLADA,
KOLLAM - 691 500.
- 20 . DR. SRILAKSHMI K.J.,
D/O JAYAPRAKASAN K.K.,
AGE: 25 YEARS
9/384, KUSUMAGIRI MENTAL
HEALTH CENTRE
KUSUMAGIRI P.O
KAKKANAD, KOCHI
KERALA - 682 030.
- 21 . DR. ANUROOPA MARY DAS
SARANGAMKAVUMKATHARA
OPPOSITE JAYA CARMEL CONVENT
MANGANAM, KOTTAYAM
KERALA.
- 22 . DR. HEBA RAVISANKAR
D/O V.RAVISHANKAR
AGE: 25 YEARS
PANGALTHODI POOTHAKKULAM P.O,
PARAVOOR KOLLAM
KERALA - 691 302.
- 23 . DR. ALISHA P.V.,
D/O VILLS SAMS G.,
AGE: 25 YEARS

DAYAL COTTAGE
CHEENIKKALA, MAYAM P.O.
THIRUVANANTHAPURAM
KERALA – 695 505.

- 24 . DR. FAMILIA MIRIAM JUDY
D/O JUDY PIUS FERNANDEZ
AGE: 23 YEARS
CALMIA, HOUSE NO.3
BISHOP PALACE NAGAR
THANGASSERY, KOLLAM
KERALA – 691 007.
- 25 . DR. AJAY VARGHESE
S/O VARGHESE T.V.,
AGE: 25 YEARS
THEKKINEDATH, MALLUSSERY
VATTAPPARAMBU P.O.
ERNAKULAM – 683 579, KERALA.
- 26 . DR. SUNANDA MAJUMDER
D/O NANDAN KRISHNA MAJUMDER
AGE: 24 YEARS
HASTINGS TOWER, FLAT NO 1D
41 BOSEPUKUR ROAD
KOLKATA – 700 042.
- 27 . DR. SANYA ANSARI
D/O SHAHID AKHTAR ANSARI
AGE: 24 YEARS
FLAT 102, MARRAKECH
30 SHOBHANA NAGAR
VASNA ROAD, VADODARA – 390 007.
- 28 . DR. SHILPY PRIYADARSHINI
D/O ASHOK KUMAR PANDEY
AGE: 25 YEARS
MIG 146, PHASE 1, RAPTI NAGAR,

GORAKHPUR, UTTAR PRADESH.

- 29 . DR. AISWARYA P.KUMAR
D/O C.PADMAKUMAR
AGE: 25 YEARS
THREVENI, SNEHA NAGAR-40,
ULIYAKOVIL P.O, KOLLAM,
KERALA – 691 019.
- 30 . DR. SMILE ARORA
S/O ASHOK KUMAR ARORA
AGE: 25 YEARS
506/9, SHIVPURI NEAR DAYAL MARKET
GURGAON, HARYANA – 122 001.
- 31 . DR. ABHIRAMI D.,
D/O DILEEP D.,
AGE: 25 YEARS
THALAYANAVELIYAKATH HOUSE
ELAMKUNNAPPUZHA P.O.
OPPOSITE ST. SEBASTIAN CHURCH
ERNAKULAM KERALA.
- 32 . DR. MOHIT SETHI
S/O SATPAL SETHI
AGE: 24 YEARS
V.P.O DARBI DISTRICT SIRSA
HARYANA – 125 055.
- 33 . DR. SHWETA BENIWAL
D/O JANAK RAJ BENIWAL
AGE: 24 YEARS
H.NO.216, PART-1, SECTOR-20
HUDA, SIRSA
HARYANA – 125 055.
- 34 . DR. PARINIKA GUPTA

D/O RAJU RAM GUPTA
AGE: 24 YEARS
FLAT NO. 402, BLOCK C1C
SAMRIDHI APARTMENT
SECTOR 18B, DWARKA
NEW DELHI – 110 078.

- 35 . DR. SANJANA ANAND
D/O ANAND VENKATANARAYANAN
AGE: 23 YEARS
PLOT 24, DOOR 4,
RAMNAGAR, 2ND MAIN ROAD
NANGANALLUR
CHENNAI – 600 061.
- 36 . DR. AJAY
S/O ISHWAR SINGH
AGED 23 YEARS
H.NO.423, SECTOR 19 PART 1,
HUDA, KAITHAL
HARYANA – 136 027.
- 37 . DR. SARTHAK JAIN
S/O VINOD KUMAR JAIN
AGE: 23 YEARS
H-157, SHASTRI NAGAR
MEERUT – 250 004.
- 38 . DR. CHITRANJAN SUTHAR
S/O OM PRAKASH SUTHAR
AGE: 26 YEARS
HOUSE NO.100, OPP. BBS SCHOOL
TILAK NAGAR, SAGAR ROAD
BIKANER, RAJASTHAN.
- 39 . DR. SHEEBA IRAM
D/O AFSAR NAUAZI
AGE : 25 YEARS

#15/1, FLAT NO.7
VISHRAM APARTMENT
DAVIS ROAD, RICHARDS TOWN
BENGALURU - 560 084.

- 40 . DR. SANTRA SUSAN JOSEPH
S/O MONY JOSEPH
AGE: 25 YEARS
#414, 2ND KAVERI NAGAR
I.R.BANDE, R.T.NAGAR
BENGALURU - 560 032.
- 41 . DR. GAYATHRI R.,
D/O RADHAKRISHNA KURUP
AGE: 24 YEARS
RAGAM, NEAR T.B.JUNCTION
KARUVATTA P.O, ALAPPUZHA
KERALA - 690 517.
- 42 . DR. BISNI BASHEER NAMBIPUNNILATH
D/O N.K.BASHEER
AGE: 24 YEARS
NAMBIPUNNILATH HOUSE
KOVILAKAM ROAD
PERINJANAM P.O - 680 686.
- 43 . DR. ROHAN THOMAS SENAPATHY
S/O GEORGE KALEEKAN SENAPATHY
AGE: 24 YEARS
MPRA 49 RAPPADI KALATHIL LANE
MURINJAPALAM M.C, TRIVANDRUM
KERALA - 695 011.
- 44 . DR. MISBHA SHARIEFF
AGE: 23 YEARS
D/O S.R.SHARIEFF
401, SHARIEFF REGALIA
PROMENADE ROAD

PULIKESHI NAGAR
BENGALURU – 560 005.

... PETITIONERS

(BY SRI B.C.THIRUVENGADAM, SR.ADVOCATE A/W
SRI MANIK B.T., ADVOCATE)

AND:

- 1 . UNION OF INDIA
MINISTRY OF HEALTH AND
FAMILY WELFARE
NEAR UDYOG BHAWAN METRO STATION,
MAULANA AZAD ROAD
NEW DELHI, DELHI – 110 011
REPRESENTED BY
SECRETARY TO THE GOVERNMENT.
- 2 . THE STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND
FAMILY WELFARE
VIKAS SOUDHA
BENGALURU – 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY.
- 3 . THE DIRECTORATE OF MEDICAL EDUCATION
ANAND RAO CIRCLE
BENGALURU – 560 009
REPRESENTED BY ITS DIRECTOR.
- 4 . RAJIV GANDHI UNIVERSITY OF
HEALTH AND SCIENCES
4TH "T" BLOCK, JAYANAGAR
BENGALURU – 560 041
REP. BY ITS REGISTRAR.
- 5 . NATIONAL MEDICAL COUNCIL (NME)

HEAD OFFICE, POCKET 14, SECTOR - 8
DWARKA, NEW DELHI - 110 077.
REPRESENTED BY ITS SECRETARY.

- 6 . KARNATAKA MEDICAL COUNCIL
70, 2ND FLOOR, VAIDYAKEEYA BHAVANA
K.R.ROAD, H.B.SAMAJA ROAD CORNER
BASAVANAGUDI, BENGALURU - 560 004
REPRESENTED BY ITS SECRETARY.
- 7 . DR.B.R.AMBEDKAR MEDICAL COLLEGE
AND HOSPITAL
KADUGONDANAHALLI
BENGALURU - 560 045
REPRESENTED BY ITS PRINCIPAL.

... RESPONDENTS

(BY SRI M.N.KUMAR, CGC FOR R1;
SRI R.SUBRAMANYA, AAG A/W
SMT.PRAMODHINI KISHAN, AGA FOR R2 AND R3;
SRI N.K.RAMESH ADVOCATE FOR R4;
SRI N.KHETTY, ADVOCATE FOR R5;
SMT.RATNA N.SHIVAYOGIMATH, ADVOCATE FOR R6;
SRI R.SUBRAMANYA, ADVOCATE FOR R7)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED NOTIFICATION DTD 15.02.2021 ISSUED BY THE R-3
DME GOVERNMENT OF KARNATAKA VIDE ANNEX-A AS ILLEGAL AND
VOID AND ETC.,

IN WRIT PETITION No.10079 OF 2021

BETWEEN:

DR. PRARTHANA N.,
D/O DR.S.NAGABHUSHANA,

AGE: 23 YEARS,
#305, 16/2, "MEHAK", 10TH CROSS,
WILSON GARDEN,
BENGALURU – 560 027.

... PETITIONER

(BY SRI B.C.THIRUVENGADAM, SR.ADVOCATE A/W
SRI MANIK B.T., ADVOCATE)

AND:

- 1 . UNION OF INDIA,
MINISTRY OF HEALTH AND
FAMILY WELFARE,
NEAR UDYOG BHAWAN METRO STATION,
MAULANA AZAD ROAD,
NEW DELHI, DELHI – 110 011.
REPRESENTED BY SECRETARY
TO THE GOVERNMENT.
- 2 . THE STATE OF KARNATAKA,
COMMISSIONERATE OF HEALTH
AND FAMILY WELFARE SERVICES,
AROGYA SOUDHA, MAGADI ROAD
BENGALURU – 560 023.
REPRESENTED BY SECRETARY/DIRECTOR.
- 3 . THE DIRECTORATE OF
MEDICAL EDUCATION (DME)
ANANDA RAO CIRCLE,
BENGALURU – 560 009.
REP. BY ITS REGISTRAR.
- 4 . NATIONAL MEDICAL COUNCIL (NMC)
HEAD OFFICE, POCKET-14, SECTOR-8,
DWARKA, NEW DELHI – 110 077.
REPRESENTED BY ITS SECRETARY.

... RESPONDENTS

(BY SRI M.N.KUMAR, CGC FOR R1;
SRI R.SUBRAMANYA, AAG A/W
SMT.PRAMODHINI KISHAN, AGA FOR R2 AND R3;
SRI N.KHETTY, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED NOTIFICATION DATED 08.06.2021 ISSUED BY THE R2 GOVERNMENT OF KARNATAKA, COMMISSIONERATE OF HEALTH AND FAMILY WELFARE SERVICES IN ANNEXURE-A AS ILLEGAL AND VOID AND ETC.,

IN WRIT PETITION No.10297 OF 2021

BETWEEN:

- 1 . DR.SHARANYA MOHAN
D/O B.V.MURALI MOHAN
AGE: 24 YEARS
15/1, 4TH CROSS
LAKSHMI ROAD
SHANTI NAGAR
BENGALURU – 560 027.
- 2 . DR.SWATHI G.N.,
D/O G.NARAYANA NAIK
AGE: 23 YEARS
E-36, FACULTY QUARTERS
INDIAN INSTITUTE OF SCIENCE
BENGALURU – 560 012.
- 3 . DR.ARSHIYA B.U.,
D/O B.M.UMMAR
AGE: 24,
NO.17/3, ABHIMAN, 1ST SECTOR
10TH MAIN, NEAR MEENAKSHI TEMPLE

NOBO NAGAR, CANARA BANK COLONY
BANNERGHATTA ROAD
BENGALURU – 560 076

- 4 . DR.MOHAMED JAVEED
S/O SHOWKATT ALI HUNSHEK
AGE 23 YEARS
NO.14, 2ND CROSS
MARAPPA THOTA
J.C.NAGAR
BENGALURU – 560 006.

... PETITIONERS

(BY SRI BRIJESH SINGH M., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA
COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
AROGYA SOUDHA
MAGADI ROAD
BENGALURU – 560 023
REPRESENTED BY SECRETARY / DIRECTOR.
- 2 . THE DIRECTORATE OF MEDICAL EDUCATION(DME)
ANANDA RAO CIRCLE
BENGALURU – 560 009
REP. BY ITS REGISTRAR.

... RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W
SMT.PRAMODHINI KISHAN, AGA FOR R1 AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED
NOTIFICATION DATED 08.06.2021 ISSUED BY THE R2

GOVERNMENT OF KARNATAKA, COMMISSIONERATE OF HEALTH AND FAMILY WELFARE SERVICES IN ANNEXURE-A AS ILLEGAL AND VOID AND ETC.,

IN WRIT PETITION No.10374 OF 2021

BETWEEN:

- 1 . MR. KUSHAL. B.R,
AGED ABOUT 23 YEARS
S/O RAVI. B. V,
RESIDING AT: 1043, 10TH MAIN,
WEST OF CHORD ROAD, 2ND STAGE
BANGALORE - 560 086.
CET NUMBER: BF225
DATE OF ADMISSION:: 25/06/2015.
- 2 . MR. SUBASH ARVIND. G,
AGED ABOUT 23 YEARS
S/O A.GOPI
RESIDING AT: NO.1317/B, GM PARADISE,
6TH A MAIN, 5TH CROSS,
PRAKASH NAGAR,
BANGALORE - 560 021.
CET NO.CQ219
DATE OF ADMISSION:: 25/06/2015.
- 3 . MR.NAYEEM AHMED P.,
AGED ABOUT 23 YEARS,
S/O KHALEEL AHMED PATKARI
RESIDING AT: NO.207, 1ST CROSS,
MANIKANTA ROAD, KALYAN NAGAR,
T.DASARAHALLI,
BANGALORE - 560 057.
CET NO.AY297
DATE OF ADMISSION:: 25/06/2015.

- 4 . MR. SAGAR. V.,
AGED ABOUT 23 YEARS
S/O VENKATESH. A,
RESIDING AT: NO.166,
SRI RANGADHAMA, 1ST MAIN,
1ST CROSS, KARNATAKA LAYOUT,
KURUBARAHALLI,
BANGALORE – 560 086.
CET NO.AH469
DATE OF ADMISSION:: 25/06/2015.
- 5 . MR. MOKSHITH M. KOTHARI
AGED ABOUT 23 YEARS
S/O MOHAN I. NAIK
RESIDING AT: 301, RAJSSIVANA APARTMENTS
PLOT NO.1223, 1ST MAIN
MRCR LAYOUT, VIJAYANAGAR
BENGALURU – 560 079.
CET NO.BC451
DATE OF ADMISSION:: 25/06/2015.
- 6 . MR. SUNDARAADHAVAN. S.,
AGED ABOUT 23 YEARS
S/O SENTHIL KUMAR. S.,
RESIDING AT: NO.46
VEMANNA LAYOUT
DODDABOMMASANDRA
VIDYARANYAPURA POST,
BANGALORE – 560 097.
CET NO.AR011
DATE OF ADMISSION:: 25/06/2015.
- 7 . MR. SHREYAS. D.S,
AGED ABOUT 23 YEARS
S/O SHIVASWAMY. D.S,
RESIDING AT: UDAYARAVINILAYA,
DODDANARAVANGALA AT POST,
TUMKUR – 572 107.

CET NO.YH119
DATE OF ADMISSION:: 25/06/2015.

- 8 . MS.SARAH KAUNEIN,
AGED 23 YEARS,
D/O LEYAKATH. M.,
RESIDING AT: 25, ASHIYANA-E-REHMATH,
24TH CROSS, GAYATHRI LAYOUT
BASAVANAPURA MAIN ROAD
K.R.PURAM,
BANGALORE - 560 036.
CET NO.AK403
DATE OF ADMISSION:: 25/06/2015.
- 9 . MS. RINITHA. R,
AGED ABOUT 22 YEARS
D/O RAVI SANKAR. K
RESIDING AT: 26, FERNS RESIDENCY-2
K.NARAYANAPURA CROSS,
GEDDALAHALLI,
BANGALORE - 560 077.
CET NO.CD058.
- 10 . MS. SUSHMARANI,
AGED ABOUT 22 YEARS,
FATHER'S NAME: MANIKRAO SURYAVANSHI,
RESIDING AT: NEW BHIM NAGAR
STATION ROAD,
BHALKI - 585 328.
CET NO.HC197.
DATE OF ADMISSION:: 29/06/2015.
- 11 . MR. RUPAM MANDAL,
AGED ABOUT 24 YEARS
S/O. SUBRATA KUMAR MANDAL
RESIDING AT: 357, 6TH CROSS
5TH MAIN, NGEF LAYOUT
NAGARBHAVI

BANGALORE - 560 072.
CET NO.BZ253.
DATE OF ADMISSION:: 25/06/2015.

- 12 . MR. GANESH PRASANNA,
AGED ABOUT 24 YEARS
S/O PRASANNAKUMAR. M.G,
RESIDING AT: 13203, PRESTIGE FALCON CITY
KANAKAPURA ROAD
KONANAKUNTE
BANGALORE - 560 062.
CET NUMBER.CY267
DATE OF ADMISSION:: 25/06/2015.
- 13 . MS. SANJANA M. RAO,
AGED ABOUT 23 YEARS
D/O. MANMOHAN RAO M.,
RESIDING AT: TF4, THIRD FLOOR
ELEGANT ELITE APARTMENT
1ST CROSS, 1ST MAIN ROAD
ISRO LAYOUT,
BANGALORE – 560 078.
CET NO.AT102
DATE OF ADMISSION:: 25/06/2015.
- 14 . MR. MANOJ C.,
AGED ABOUT 23 YEARS
S/O P.K.CHANDRASHEKAR
RESIDING AT: NO.231/D,
1ST FLOOR, 9TH 'B' MAIN ROAD,
FREEDOM FIGHTERS LAYOUT
LAGGERE BRIDGE, LAGGERE,
BANGALORE - 560 058.
CET NO.AG196
DATE OF ADMISSION:: 25/06/2015.
- 15 . MS. SANJANA B. MURTHY,
AGED ABOUT 23 YEARS

D/O. R.BHANUMURTHY,
RESIDING AT: 266, 13TH MAIN
MALLATHAHALLI POST, MPM LAYOUT
NAGARBHAVI,
BANGALORE – 560 056.
CET NO.AU064.
DATE OF ADMISSION:: 25/06/2015.

- 16 . MS. ADITHI K. MURTHY,
AGED ABOUT 23 YEARS
D/O B.V.KRISHNAMURTHY
RESIDING AT: 61/1, SAROVAR
H.B.SAMAJ ROAD,
BASAVANAGUDI,
BANGALORE - 560 004.
CET NO.BH435
DATE OF ADMISSION:: 25/06/2015.
- 17 . MS. APOORVA,
AGED ABOUT 23 YEARS
D/O. ARUN KUMAR DWIVEDI
RESIDING AT: 45/3, C/O KI MUTHYALAKSHMI
3RD FLOOR, LAXMAN STREET
NEAR GANGAMMA TEMPLE
GANGAMMA CIRCLE
JALAHALLI,
BANGALORE - 560 013.
CET NO.BT246
DATE OF ADMISSION:: 20/07/2015.
- 18 . MR. AKSHAY S. BANDI,
AGE 23 YEARS
S/O SAHADEV V. BANDI
RESIDING AT: NO.006, 1ST FLOOR
RAM LAKE VIEW APARTMENT
4TH MAIN ROAD, VINAYAK NAGAR
BAGALUR CROSS
YELAHANKA

BANGALORE NORTH - 560 064.
CET NO.CQ032
DATE OF ADMISSION:: 25/06/2015.

- 19 . MS. PRAGATHIAKKALKOT
AGED ABOUT 23 YEARS
D/O. MALLINATH AKKALKOT
RESIDING AT: NO.116, 1ST FLOOR
MBK HOUSE, 3RD CROSS
5TH MAIN, K. G. NAGAR,
BANGALORE - 560 019.
CET NO.CM518
DATE OF ADMISSION:: 25/06/2015.
- 20 . MR. YASHWANTH M.,
AGED ABOUT 23 YEARS,
S/O. MUNI REDDY H.M,
RESIDING AT: ARANIGHATTA VILLAGE
KUDIYANUR POST, MALUR TALUK,
KOLAR DISTRICT - 563 130.
CET NO.BJ444
DATE OF ADMISSION:: 25/06/2015.
- 21 . MR. ARUN KUMAR R.,
AGED ABOUT 24 YEARS
S/O RAJANNA K.,
RESIDING AT: NO.149, 4TH MAIN,
SAMPIGE LAYOUT, VIJAYANAGAR,
BENGALURU - 560 079.
CET NO.AC518
DATE OF ADMISSION:: 25/06/2015.
- 22 . MR. VEERESH,
AGED ABOUT 23 YEARS
S/O SHARNAGOUDA B.H.,
RESIDING AT: H.NO.1-3-290/149
VIJAYANAGAR COLONY, ASHAPUR ROAD
RAICHUR - 584 101.

CET NO.PQ126
DATE OF ADMISSION:: 25/06/2015.

- 23 . MS.MANASA L.,
AGED ABOUT 23 YEARS
D/O. LAKSHMESH H.V.,
RESIDING AT: 'C' 803, RENAISSANCE TEMPLE BELLS
OLD INDUSTRIAL SUBURB
YESHWANTHPUR
BANGALORE - 560 022.
CET NO.AE343
DATE OF ADMISSION:: 25/06/2015.
- 24 . MR.S.HEMANTH SRIVATSAVA REDDY
AGED ABOUT 22 YEARS
S/O. S.V. SATYANARAYANA REDDY
RESIDING AT: 21, 2ND CROSS
AKSHAY NAGAR, 1ST BLOCK
RAMMURTHY NAGAR
BANGALORE - 560 016.
CET NO.BQ396
DATE OF ADMISSION:: 25/06/2015.
- 25 . MR.PRASHANTH GOWDA C.K,
AGED ABOUT 23 YEARS,
S/O. KEMPEGOWDA R.,
RESIDING AT: CHADAMANAHALLI VILLAGE
KEMBODI POST
KOLAR TALUK - 563 103
CET NO.SH227
DATE OF ADMISSION:: 25/06/2015.
- 26 . MR. MALLIKARJUN R. SAMAGOND
AGED ABOUT 23 YEARS
S/O. RAMANING B. SAMAGOND
RESIDING AT: NO.253, NAGATHAN POST
NAGATHAN - 586 112.
TALUK AND DISTRICT - BIJAPUR,

CET NO.MS286
DATE OF ADMISSION:: 25/06/2015.

- 27 . MS.SAI LIKITHA K.,
AGE 23 YEARS
D/O. RAMACHANDRA RAO K.,
RESIDING AT: NO.3, SAI SHAKTI
7TH CROSS, VICTORIA LAYOUT
BANGALORE - 560 047.
CET NO.UN264
DATE OF ADMISSION:: 25/06/2015.
- 28 . MR. MOHAMMAD ZAIDULKHAIR SIRASAGI
AGED ABOUT 23 YEARS
S/O. YAKUB
RESIDING AT: HOUSE NO.1529
WARD NO.8, AMBEDAKAR NAGAR
KALKERI
VIJAYAPURA DISTRICT - 586 118.
CET NO.HH218
DATE OF ADMISSION:: 25/06/2015.
- 29 . MS. SUVARNA MAKAM
AGE 23 YEARS
D/O.M.RAGHAVENDRA GUPTA
RESIDING AT: 52, 2ND MAIN ROAD
OPP. PARK, GANGANAGAR LAYOUT
BANGALORE - 560 032.
CET NO.BR216
DATE OF ADMISSION:: 25/06/2015.
- 30 . MS. NEHA N. NAYAK
AGE 23 YEARS
D/O. NAGARAJ G. NAYAK
RESIDING AT: 227, 8TH CROSS
1ST N BLOCK, RAJAJINAGAR
BANGALORE - 560 010.
CET NO.BJ148

DATE OF ADMISSION:: 25/06/2015.

- 31 . MR. NITEESH K.M.,
AGED ABOUT 23 YEARS
S/O. LATE RAVISHANKAR. K.M.,
RESIDING AT: 6/732, BASAWESHWARA BADAVANE
NEAR KOLASHANTESHWARA SCHOOL
KOTTUR
BELLARY DISTRICT - 583 134.
CET NO.GC375
DATE OF ADMISSION:: 25/06/2015.
- 32 . MS.NISHITHA. K.S.,
AGED ABOUT 23 YEARS
D/O. SIDDARAJU. K.G.,
RESIDING AT: 9, 2ND MAIN
SHREEGANDHANAGAR
HEGGANAHALLI CROSS
BANGALORE - 560 091.
CET NO.BC358
DATE OF ADMISSION:: 25/06/2015.
- 33 . MR. MOHAMMED NAVEED AFFAAN SOUDAGAR
AGED ABOUT 23 YEARS
S/O.MOHAMMED ZAKRIYA
RESIDING AT: H.NO.1-3-302/2, RR COLONY
ASHAPUR ROAD,
RAICHUR - 584 101.
CET NO.HB001
DATE OF ADMISSION:: 25/06/2015.
- 34 . MS.AALIYAJABEEN SAYEED
AGED ABOUT 23 YEARS
D/O. SHABBIR AHMED SAYEED
RESIDING AT : H.NO.3, 1ST MAIN
BISMILLAH NAGAR
BANNERGHATTA CROSS ROAD
BANGALORE - 560 029.

CET NO.BK258
DATE OF ADMISSION:: 25/06/2015.

- 35 . MS.HAMSA GOPAL
AGED ABOUT 23 YEARS
D/O.T.GOPAL,
RESIDING AT: 1387, 5TH CROSS
6TH MAIN, 'E' BLOCK
AECS LAYOUT
BANGALORE - 560 037.
CET NO.CW215
DATE OF ADMISSION:: 25/06/2015.
- 36 . MS.D.Y.SPANDANA,
AGED ABOUT 23 YEARS
D/O. D.R.YOGISHA
RESIDING AT: 45 RANGAPPA CROSS
CHIKKAMAVALLI
BANGALORE - 560 004.
CET NO.DD149
DATE OF ADMISSION:: 25/06/2015.
- 37 . MS.THASNEEM S. RAHIM
AGED ABOUT 23 YEARS
D/O. RAHIM H.,
RESIDING AT: 302, EARTHEN SUMMER
10TH 'K' CROSS, NAGAVARPALYA
C.V.RAMAN NAGAR
BANGALORE - 560 093.
CET NO.MK321 (2015)
DATE OF ADMISSION:: 25/06/2015
- 38 . MS. SINDHU N.,
AGED ABOUT 24 YEARS
D/O. NAGARAJSETTY. N.V.,
RESIDING AT: #173, WARD NO.13
SRI LAKSHMI NILAYA
NEAR NEW KOLAR CIRCLE

RAJAJI ROAD,
SRINIVASAPUR - 563 135.
CET NO.SB164
DATE OF ADMISSION:: 25/06/2015.

- 39 . MR. SAMRUDH D.,
AGE 23 YEARS
S/O. GEETA. T.D,
RESIDING AT: 20, 7TH MAIN
OFF BANNERGHATTA ROAD
LAKKASANDRA EXTENSION
BANGALORE - 560 030 .
CET NO.MK090
DATE OF ADMISSION:: 25/06/2015.
- 40 . MS.LAVANYA GOPINATH
AGED ABOUT 23 YEARS
D/O R. G.GOPINATH
RESIDING AT: 901
PRIDE REGALIA APARTMENTS
BANNERGHATTA ROAD
HULIMAVU
BENGALURU - 560 076.
CET NO.AA091
DATE OF ADMISSION:: 25/06/2015.
- 41 . MR.HARSHITH N.,
AGE 23 YEARS
S/O. NAGABHUSHANA M.,
RESIDING AT: NO.59, 2ND MAIN,
4TH CROSS, PATTEGARAPALYA
BASAVESHWARANAGAR
BANGALORE - 560 079.
CET NO.CR182
DATE OF ADMISSION:: 25/06/2015.
- 42 . MR. PRAJWAL RAVINDRA
AGED ABOUT 23 YEARS

S/O. RAVINDRA KUMAR N.B.,
RESIDING AT: NO.401, ARUSH ARYA APARTMENT
CHANNASANDRA
BANGALORE - 560 098.
CET NO.KA469
DATE OF ADMISSION:: 25/06/2015.

- 43 . MR.AMIT KUMAR I. KALASANNAVAR
AGED ABOUT 24 YEARS
S/O. IRAPPA. V.K.,
RESIDING AT: I.V.KALASANNAVAR
OPP TO K.C. RANI PARK,
HEALTH CAMP, GADAG BETIGERI
PIN CODE - 582 102.
CET NO.MX088
DATE OF ADMISSION:: 25/06/2015.
- 44 . MR.NITHIN KUMAR. K.S.,
AGED ABOUT 23 YEARS
S/O. SRINIVASA K.S,
RESIDING AT: NO.14/B, BLOCK NO.10
BEML LAYOUT, SRIRAMPURA 2ND STAGE
MYSORE – 570 023.
CET NO.MP197
DATE OF ADMISSION:: 25/06/2015.
- 45 . MS. P.T.ARCHANA
AGED ABOUT 23 YEARS
D/O. P.B.THIPPESWAMY
RESIDING AT: # 4-5-68/6-1 UPSTAIRS
CHAITANYA NAGAR, R T C COLONY
HINDUPUR – 515 201.
ANANTAPUR DISTRICT
ANDHRA PRADESH
CET NO.AG091
DATE OF ADMISSION:: 25/06/2015.
- 46 . MS. ARUSHA CHALVA,

AGED ABOUT 23 YEARS
D/O. AMARESHCHALVA
RESIDING AT: FA 402,
GOLDEN GRAND APARTMENTS
TUMKUR ROAD
YESHWANTHPUR,
BANGALORE - 560 022.
CET NO.AP027
DATE OF ADMISSION:: 25/06/2015.

- 47 . MS. AARUSHI RAINA
AGE 24 YEARS
D/O. SANJAY RAINA
RESIDING AT: PPA 241, PARK PLACE
DLF CITY, PHASE V, SECTOR-54
GURUGRAM,
HARYANA - 122 011.
CET NO.BC022
DATE OF ADMISSION:: 09/07/2015.
- 48 . MR.HARSHA B.J.,
AGED ABOUT 23 YEARS
S/O. JAYARAMAIAH
RESIDING AT: SHREE HARSHA NILAYA
2ND MAIN, 2ND CROSS, MALLIGE ROAD END
GOKULA EXTENSION
TUMKUR - 572 104.
CET NO.YB285
DATE OF ADMISSION:: 25/06/2015.
- 49 . MS. BHAVANA. H.V,
AGED ABOUT 24 YEARS
D/O. VIVEKANANDA H.N.,
RESIDING AT: 2610/1, RENUKA NILAYA
MCC A BLOCK, CHURCH ROAD
DAVANAGERE - 577 004.
CET NO.LB081
DATE OF ADMISSION:: 25/06/2015.

- 50 . MS. ARPITA M.TELLUR
AGED ABOUT 23 YEARS
D/O. MALAKAPPA
RESIDING AT: KAVERI AUTOMOBILES
BIJAPUR ROAD
SINDAGI - 586 128.
CET NO.MH089
DATE OF ADMISSION:: 25/06/2015.
- 51 . MR. ROHAN G. VASHISHT
AGED ABOUT 23 YEARS
S/O. GIRIDHARGURURAJAN
RESIDING AT: 493/A, 8TH CROSS
7TH BLOCK, JAYANAGAR
BANGALORE - 560 080.
CET NO.CM312
DATE OF ADMISSION:: 25/06/2015.
- 52 . MS. SAFAA HABIB
AGED ABOUT 23 YEARS
D/O. MOHAMED HABIBULLA
RESIDING AT: 17, 6TH CROSS
L.I.C COLONY, 3RD BLOCK (EAST)
JAYANAGAR
BANGALORE - 560 011.
CET NO.CZ086
DATE OF ADMISSION:: 25/06/2015.
- 53 . MR. PURUSHOTHAM K.,
AGED ABOUT 23 YEARS
S/O. KRISHNAPPA H.,
RESIDING AT: #10, 1ST MAIN ROAD
2ND CROSS ROAD
NEAR NAGENDRA FLOUR MILL
RMV 2ND STAGE, NAGASHETTYHALLI
BANGALORE - 560 094.
CET NO.BF312

DATE OF ADMISSION:: 08/07/2015.

- 54 . MS. KUSHALA S.,
AGED ABOUT 24 YEARS
D/O. SRINIVAS MURTHY H.,
RESIDING AT: NO.220 LIGSFS 707, 4TH PHASE
YELAHANKA NEW TOWN
BANGALORE - 560 064.
CET NO.AN447
DATE OF ADMISSION:: 25/06/2015.
- 55 . MR. NEERAJKUMAR. K.S.,
AGED ABOUT 23 YEARS
S/O. U.G.SHARANAPPA,
RESIDING AT: NO.2009/106,
RANGANATHA BADAVANE,
VIDYANAGARA LAST CITY
BUS STOP
DAVANAGERE - 577 002.
CET NO.LB512
DATE OF ADMISSION:: 25/06/2015.
- 56 . MR.FURQAAN SHAIK
AGED ABOUT 23 YEARS
S/O. ABDUL WASAY
RESIDING AT: H.NO.1-15-101/8
HADI COLONY, EKLASPUR ROAD
RAICHUR - 584 101.
CET NO.HG044
DATE OF ADMISSION:: 25/06/2015.
- 57 . MR. SANGMESHWAR,
AGED ABOUT 23 YEARS
S/O. NAGANATHBIRADAR
RESIDING AT: H NO.26, SBH COLONY
OPP. KEB, NEAR BHAVANI ORTHO CARE
BIDAR - 585 401.
CET NO.HG038

DATE OF ADMISSION:: 25/06/2015.

- 58 . MS. VINDHYA PRASAD
AGED ABOUT 24 YEARS
D/O. R.RAGHAVENDRA PRASAD
RESIDING AT: NO.464, 8TH MAIN,
6TH CROSS, HANUMANTHA NAGAR,
BANGALORE - 560 019.
CET NO.BW003
DATE OF ADMISSION:: 25/06/2015.
- 59 . MISS SNEHA M.,
AGE 24 YEARS
D/O. M.MAHENDRA
RESIDING AT: GAVISIDDESHWARANAGAR
OPP. TO APMC, BALLARY ROAD
KURUGODU
BALLARY DISTRICT,
KURUGOD TALUK - 583 116.
CET NO.GF333
DATE OF ADMISSION:: 14/07/2015.
- 60 . MR. SRIKANTH TAVARAGERA
AGED ABOUT 25 YEARS
S/O. NAGARAJ TAVARAGERA
RESIDING AT: NEAR SRI BASAVESHWARA
OIL MILLS, ISLAMPUR
OPPOSITE TO APMC GATE 1,
GANGAVATHI,
KOPPAL DISTRICT - 583 221.
CET NO.MP094
DATE OF ADMISSION:: 25/06/2015.
- 61 . MR. SANDESH M.,
AGED ABOUT 24 YEARS
MAHESHAPPA
RESIDING AT: YASHASWINI NILAYA
MANJUNATHA NAGARA

GOKULA EXTENSION
TUMAKURU - 572 104.
CET NO.YG361
DATE OF ADMISSION:: 30/06/2015

- 62 . MR. ANANTH M.ADHYAM
AGED ABOUT 24 YEARS
S/O A.MOHAN
RESIDING AT: NO.26/17, SONA SADAN
2ND MAIN ROAD, N.R.COLONY
BANGALORE - 560 004.
CET NO.CI573
DATE OF ADMISSION:: 20/07/2015.
- 63 . MS. PRAJNA M.,
AGED ABOUT 23 YEARS
MADAPPA M.,
RESIDING AT: FLAT 112, 3RD FLOOR
HARSHITHA ENCLAVE, 17TH CROSS
28TH MAIN, JP NAGAR 6TH PHASE
BENGALURU - 560 078.
CET NO.MH100
DATE OF ADMISSION:: 25/06/2015.
- 64 . MR. HARSHA REDDY. R,
AGED ABOUT 23 YEARS
FATHER'S NAME: K.R.REDDY
RESIDING AT: AJJAWARA VILLAGE
CHIKBALLAPUR (T AND D) - 562 101
CET NO.MH048
DATE OF ADMISSION:: 25/06/2015.
- 65 . MR. VINAY J.,
AGED ABOUT 23 YEARS
S/O LATE JAIKUMAR K.,
RESIDING AT: NO.27
1ST STAGE, GRUHALAKSHMI COLONY
BASAWESHWARNAGAR

BANGALORE - 560 079
CET NO.AK054
DATE OF ADMISSION:: 25/06/2015.

- 66 . MR. SWAROOP A.P.,
AGED ABOUT 24 YEARS
S/O PRABHU A.,
RESIDING AT: 982/25-A, VANI NILAYA
BHAGATH SINGH NAGAR, 2ND STAGE
NEAR SIDDESHWARA MILL
DAVANAGERE - 577 002.
CET NO.LG470
DATE OF ADMISSION:: 29/06/2015.
- 67 . MS. PALLAVI MEGHARAJ
AGED ABOUT 23 YEARS
D/O ASHOK KUMAR MEGHARAJ
RESIDING AT: 'A' BLOCK 803
RENAISSANCE TEMPLE BELLS
YESHWANTHPUR SUBURB
BANGALORE - 560 022.
CET NO.AR223
DATE OF ADMISSION:: 08/07/2015.
- 68 . MS. SHREYA ARVIND
AGED ABOUT 24 YEARS
D/O ARVIND SUKUMAR KOPPARE
RESIDING AT: 'B' 1004 MANTRI SERENITY APTS.
KUVEMPU NAGAR ROAD
DODDAKALASANDRA
BANGALORE - 560 062.
CET NO.CM379
DATE OF ADMISSION:: 08/07/2015.
- 69 . MS. RAKSHA L.,
AGED ABOUT 24 YEARS
D/O L.N.MURTHY
RESIDING AT: NO.23, 18TH CROSS

GAYATHRI LAYOUT, K.R.PURAM
BANGALORE - 560 036.
CET NO.AS267
DATE OF ADMISSION:: 25/06/2015.

- 70 . MR. LIKHITESH V.,
AGED ABOUT 23 YEARS
S/O VENKATANARAYANA V.,
RESIDING AT: NO.604, SAPTHAGIRI
ADHARSHANAGARA
ARASHINAKUNTE
NELAMANGAL - 562 123.
CET NO.BN592
DATE OF ADMISSION:: 13/07/2015.
- 71 . MS. M.J.KEERTHI
AGED ABOUT 24 YEARS
D/O M.JAGADISH
RESIDING AT: NO.18
NARSAPUR DONIMALAI
SANDUR TQ
BALLARI DISTRICT - 583 118.
CET NO.GA155
DATE OF ADMISSION:: 15/06/2015.
- 72 . MS. DEEPASHREE A.,
AGED ABOUT 24 YEARS
D/O V.T.ASHOK
RESIDING AT 135, 5TH MAIN
10TH CROSS, NGEF LAYOUT
NAGARBHAVI, BANGALORE.
CET NO.MJ361
DATE OF ADMISSION:: 25/06/2015.
- 73 . MS. ANUSHREE C.S.,
AGED ABOUT 23 YEARS
D/O LATE C.CHANDRASHEKAR
RESIDING AT: 4, 4TH CROSS

SRIMANJUNATHANILAYA
GANGAMMA LAYOUT, GUDDADAHALLI
RT NAGAR POST
BANGALORE - 560 032.
CET NO.AN432
DATE OF ADMISSION:: 25/06/2015.

- 74 . MR. FAISAL ABDULLAH
AGED ABOUT 24 YEARS
S/O D.JEELANI
RESIDING AT: NO.9-5-741/2
OLD ADARSH COLONY
BIDAR - 585 401.
CET NO.HJ004
DATE OF ADMISSION:: 25/06/2015.
- 75 . MR. SREEVISHNU KALAGA V.P.,
AGED ABOUT 23 YEARS
S/O KALAGA MURALI KRISHNA
RESIDING AT: ADDRESS 202, PRIMROSE VILLA
8TH CROSS, VEERABHADRA NAGAR ROAD
BASAVANAGAR
BANGALORE - 560 037.
CET NO.BD159
DATE OF ADMISSION:: 25/06/2015.
- 76 . MR. MOHAN SONU C.,
AGED ABOUT 23 YEARS
FATHER NAME: CHANDRA H.R.,
RESIDING AT: 14, 2ND MAIN
5TH CROSS, BASAVESHWARA LAYOUT
NAGASHETTYHALLI
BANGALORE - 560 094.
CET NO.AL370
DATE OF ADMISSION:: 20/07/2015.
- 77 . MR. SHISHEER P.HAVANGI
AGED ABOUT 23 YEARS

RESIDING AT: 312, KALPAJA FIRST CROSS
RAVINDRA NAGARA
SHIMOGA - 577 201.
FATHER'S NAME: PRAKASH S.HAVANGI
CET NO.ML165
DATE OF ADMISSION:: 08/07/2015.

- 78 . MS. SRIVATHSAVA G,
AGED ABOUT 23 YEARS
RESIDING AT 36, 3RD CROSS
MUNIRAJU LAYOUT
OPPOSITE DS MAX APARTMENTS
CHIKKABANAVARA
BANGALORE - 560 090.
CET NO.BP487
DATE OF ADMISSION:: 15/07/2015.
- 79 . MR. JEEVAN S.D.,
AGED ABOUT 22 YEARS
FATHER NAME: DHANANJAYA M.,
RESIDING AT: NO.36
OPP. TO LAKSHMI NILAYA
DHARMARAYA TEMPLE STREET
KATARIPALYA, KOLAR - 563 101.
CET NO.SB331
DATE OF ADMISSION:: 25/06/2015.
- 80 . MS. INDUSHREE P.,
AGED ABOUT 24 YEARS
FATHER NAME: PURUSHOTHAMAN S.,
RESIDING AT: HOUSE NO.1608, 5TH BLOCK
12TH MAIN, SIR M.VISWESWARAIAH LAYOUT
ULLAL, BANGALORE - 560 056.
CET NO.BC050
DATE OF ADMISSION:: 25/06/2015.
- 81 . MR. VEERESH H.B.,
AGED ABOUT 24 YEARS

S/O HEMANNA K.BETAGERI
RESIDING AT: WARD NUMBER 17
PLOT NUMBER 82, DANVANTRI COLONY
BHAGYANAGAR, KOPPAL - 583 231.
CET NO.ML172
DATE OF ADMISSION:: 25/06/2015.

- 82 . MS. RITU RATHOD
AGED ABOUT 23 YEARS
FATHER NAME: RAJKUMAR RATHOD
RESIDING AT: PLOT NO.35
VENKATESHWARA KRUPA OZA LAYOUT
KALABURAGI - 585 102.
CET NO.PR430
DATE OF ADMISSION:: 29/06/2015.
- 83 . MS. KAVYA SHIVANAGOUDA PATIL
AGED ABOUT 24 YEARS
FATHER NAME: SHIVANAGOUDA PATIL
RESIDING AT: ADDRESS NO.#629
5TH CROSS, 7TH MAIN
VIJAYANAGARA, BANGALORE - 40.
CET NO.AC013
DATE OF ADMISSION:: 25/06/2015.
- 84 . MS. POOJITHA S.,
AGED ABOUT 23 YEARS
FATHER NAME: H.B.SHYAMSUNDAR
RESIDING AT: ADDRESS #107
5TH MAIN, H.V.R LAYOUT
BANGALORE - 560 079.
CET NO.MQ429
DATE OF ADMISSION:: 20/07/2015.
- 85 . MR. ROHAN G.,
AGED ABOUT 24 YEARS
FATHER NAME: GOPALAKRISHNAPPA V.,
RESIDING AT: 426, 6TH MAIN, 3RD BLOCK

3RD STAGE, BASAVESHWARA NAGAR
BANGALORE - 560 079.
CET NO.AI011
DATE OF ADMISSION:: 08/07/2015.

- 86 . MR. GHANAPATI VINIL REDDY JAMBULA
AGED ABOUT 23 YEARS
FATHER NAME: RAVINDER REDDY JAMBULA
RESIDING AT: 111, BMC GENTS HOSTEL
PALACE ROAD, BANGALORE - 560 009.
CET NO.BQ028
DATE OF ADMISSION:: 25/06/2015.

...PETITIONERS

(BY SRI GIRISHKUMAR R., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
VIKASA SOUDHA
BENGALURU - 560 001.
- 2 . COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
GOVERNMENT OF KARNATAKA
REP. BY ITS COMMISSIONER
HAVING OFFICE AT
AROGYA SOUDHA, MAGADI ROAD
BENGALURU - 560 023.
REP. BY ITS COMMISSIONER
- 3 . THE DIRECTORATE OF MEDICAL EDUCATION
REP. BY ITS DIRECTOR
HAVING OFFICE AT
ANANDA RAO CIRCLE
BANGALORE-560 009.

- 4 . THE RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCES
REP. BY ITS REGISTRAR
HAVING OFFICE AT 4TH 'T' BLOCK
JAYANAGAR,
BENGALURU - 560 041.

- 5 . KARNATAKA MEDICAL COUNCIL
REP. BY ITS REGISTRAR
HAVING OFFICE AT
NO.70, 2ND FLOOR
VAIDYAKEEYA BHAVANA
KR ROAD, H.B. SAMAJA ROAD CORNER
BASAVANAGUDI
BENGALURU - 560 004.

...RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W
SMT. PRAMODHINI KISHAN, AGA FOR R-1 TO R-3;
SRI N.K.RAMESH, ADVOCATE FOR R-4;
SMT. RATNA N.SHIVAYOGIMATH, ADVOCATE FOR R-5)

THIS WP FILED IS UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO QUASH THE NOTIFICATION
DATED 08.06.2021 ISSUED BY R2 PRODUCED AT ANNEXURE-A
AND DIRECT THE R3 TO CONSIDER THE REPRESENTATION DATED
20.04.2021 AT ANNEXURE-B, AND CONSEQUENTLY DIRECT THE R3
TO ISSUE NO OBJECTION CERTIFICATES TO THE PETITIONERS.

IN WRIT PETITION No.10379 OF 2021:

BETWEEN:

- 1 . DR.NIHARIKA H.S.,
D/O DR.SUDARSHANA REDDY H.R.,
AGED ABOUT 23 YEARS
R/AT NO.285, MANOGNA, 5TH MAIN ROAD
KRISHI GANGOTHRI, UAS GKV LAYOUT

JAKKUR, BENGALURU – 560 064.

- 2 . DR.LIKITH B.K.,
S/O KUMAR G.,
AGED ABOUT 24 YEARS
R/AT NO.726, 6TH CROSS
ASHOK NAGAR, BSK 1ST STAGE
BENGALURU – 560 050.
- 3 . DR.SUCHETA SANJEEV CHIKODI
D/O MR.SANJEEV B.CHIKODI
AGED ABOUT 23 YEARS
R/AT NO.494, 8TH MAIN
VIJAYANAGAR, BENGALURU – 560 040.
- 4 . DR.ARADHYA A. SHETTY
D/O DR.ASHWINI KUMAR SHETTY
AGED ABOUT 23 YEARS
R/AT JANANI 11-2-101D1 MOODANI DAMBOOR
RAMANNA SHETTY COMPOUND
NEAR LIC COLONY, BRAHMAGIRI UDUPI
KARNATAKA – 576 101.
- 5 . DR.VIGNESH K.R.MADHU
S/O K.C.RAVIKUMAR
AGED ABOUT 24 YEARS
R/AT NO.474, I FLOOR, 3RD MAIN
SRINAGAR, BENGALURU – 560 050.
- 6 . DR.PURUSHOTHAM
S/O V.RAMESH
AGED ABOUT 23 YEARS
R/AT NO.1399, 31ST WARD
9TH CROSS NEHRU COLONY
HOSPET – 583 201.
- 7 . DR.SANDEEP RAO KORDCAL
S/O DR.SHRISHA KORDCAL

AGED ABOUT 24 YEARS
R/AT SHRI NIVASA
OPPOSITE POST OFFICE
KATAPADI, UDUPI – 574 105.

- 8 . DR.SUMIT KUMAR SINGH
S/O RAVINDRA SINGH
AGED ABOUT 23 YEARS
R/AT SAHADESH DUMRI
CHILAKAHAR BALLIA
UTTAR PRADESH – 221 701.
- 9 . DR.ANIL D' SOUZA
S/O HARRY D' SOUZA
AGED ABOUT 23 YEARS
C3 PRAKRUTHI APARTMENTS
OPPOSITE CITY HOSPITAL
KADEI, MANGALORE – 575 002.
- 10 . DR.ANAGHA SHARMA
D/O DR.SAI KUMAR H.V.,
AGED ABOUT 23 YEARS
R/AT NO.1033/2A, SRI SAI KRIPA,
BEHIND GEETHA ROAD,
CHAMARAJAPURAM, MYSORE – 570 005.
- 11 . DR.MOHAMMED SALMAN HYDER
S/O M.HASSEN ALI
AGED ABOUT 24 YEARS
R/AT NO.526, 17 D MAIN,
6TH BLOCK, KORAMANGALA
BENGALURU – 560 095
- 12 . DR.RITU KUSHWAH
S/O KANHAIYALAL KUSHWAH
AGED ABOUT 23 YEARS
R/AT NO.M5 MEZZANINE FLOOR
SSV HERITAGE, NEHRU NAGAR,

EXTENSION GADAG ROAD, HUBLI – 580 020.

- 13 . DR.HITESH REDDY H.D.,
S/O H.N.DASHARATHA KUMAR
AGED ABOUT 24 YEARS
R/AT NO.12, SHRI BASAVESHWARA NILAYA
HALASAHALLI, GUNJUR POST VIA VARTHUR
BENGALURU – 560 087.
- 14 . DR.C.S.SHREYAS
S/O SHIVASHANKAR BHAT C.,
AGED ABOUT 23 YEARS
R/AT CHEEMULLU HOUSE, KALLONI ROAD
BELLARE POST AND VILLAGE
SULLIA TALUK, DAKSHINA KANNADA,
KARNATAKA – 574 212.
- 15 . DR.SOURABH M. KAMMAR
S/O MOUNESHWAR KAMMAR
AGED ABOUT 24 YEARS
R/AT KOPPAGONDANAKOPPA,
TILAVALLI POST, HANAGAL TALUK,
HAVERI – 581 120.

...PETITIONERS

(BY SRI RAMANANDA A.D., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA
DEPARTMENT OF HEALTH AND FAMILY WELFARE
REPRESENTED BY ITS PRINCIPAL SECRETARY
VIKASA SOUDHA, BENGALURU – 560 001.
- 2 . THE DIRECTORATE OF MEDICAL EDUCATION
ANANDA RAO CIRCLE, BENGALURU – 560 009.
- 3 . RAJIV GANDHI UNIVERSITY OF HEALTH AND SCIENCES

REPRESENTED BY ITS REGISTRAR
4TH 'T' BLOCK, JAYANAGAR,
BENGALURU – 560 041.

- 4 . KARNATAKA MEDICAL COUNCIL
REPRESENTED BY ITS PRESIDENT
70, 2ND FLOOR,
VAIDYAKEEYA BHAVANA, K.R.ROAD,
HB SAMAJA ROAD CORNER,
BASAVANAGUDI, BENGALURU – 560 004.
- 5 . THE COMMISSIONER
HEALTH AND FAMILY WELFARE SERVICES
AROGYA SOUDHA, MAGADI ROAD
BENGALURU – 560 023.

...RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W
SMT. PRAMODHINI KISHAN, AGA FOR R1, R2 AND R5)

THIS WP FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH KARNATAKA COMPULSORY SERVICE TRAINING BY CANDIDATES COMPLETED MEDICAL COURSES FOR ADMISSION TO GOVERNMENT SEATS TO PROFESSIONAL MEDICAL INSTITUTIONS RULES, 2006 DATED 24.07.2015 ISSUED BY THE R1 VIDE NOTIFICATION NO.HFW 249 HSH 2015 BENGALURU AS ULTRA VIRUS, THE SAID ACT ILLEGAL AND VOID VIDE ANNEXURE-A AND ETC.,

IN WRIT PETITION No.10381 OF 2021

BETWEEN:

- 1 . MR. DR.G.SAI ABILASH
AGED ABOUT 24 YEARS
FATHER'S NAME: SIDDARAJU
ADDRESS: C5, VICTORIAN VILLA
ALEXANDER STREET, RICHMOND TOWN
BENGALURU - 560 025.

CET NUMBER: CQ156
DATE OF ADMISSION:: 25/06/2015.

- 2 . MS. AISHWARYA B.SRINIVASA
AGED ABOUT 23 YEARS
FATHER'S NAME: B.N.SRINIVASA
ADDRESS :NO. 77, 3RD MAIN
2ND CROSS, VHBCS LAYOUT
KURUBARAHALLI
BENGALURU - 560 086
DATE OF ADMISSION:: 23/07/2015
CET NUMBER: BA052.
- 3 . MS. DEEPA THEJENDRA
AGED ABOUT 23 YEARS
FATHER'S NAME: B.S.THEJENDRA
ADDRESS: 82/1, UPSTAIRS 2ND MAIN ROAD
SESHADRIPURAM
BENGALURU - 560 020
DATE OF ADMISSION:: 29/06/2015
CET NUMBER: AQ492.
- 4 . MR. SURAJ SUDHISH P.,
AGED ABOUT 25 YEARS
FATHER'S NAME: SUDHISH P.K.,
ADDRESS: 642/1, 2ND CROSS
L.B.SHASTRY NAGAR
HAL VIMANPURA POST
BENGALURU - 17
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: AC602.
- 5 . MR. ANIKET RAO
AGED ABOUT 24 YEARS
FATHER NAME: VIJYA KARNALAKSH RAO
ADDRESS: LEELA NIWAS APARTMENTS
4TH MAIN ROAD, 15TH CROSS
MALLESHWARAM, BENGALURU - 560 003.

DATE OF ADMISSION:: 25/06/2015
CET NUMBER: AG331.

- 6 . MS. SHABANA TASLIM A.,
AGED ABOUT 24 YEARS
FATHER NAME: ABDUL RAHEEM
ADDRESS: NO. 109, HBR LAYOUT
2ND STAGE, 1ST MAIN ROAD
VENKATESHAPURAM
BENGALURU - 560 045.
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: CR136.
- 7 . MR. SUHAS M.,
AGED ABOUT 23 YEARS
FATHER'S NAME: MUNISWAMY J.D.,
ADDRESS: NO.256, 4TH MAIN
AGB LAYOUT, HESARAGHATTA MAIN ROAD
CHIKKABAANAVARA POST
BENGALURU - 560 090.
CET NUMBER: AL538.
DATE OF ADMISSION:: 13/07/2015.
- 8 . MR. VIGNESH B.,
AGED ABOUT 23 YEARS
FATHER'S NAME: BHASKARAN R.,
ADDRESS: NO.1, VISHAKA NILAYAM
DOCTORS LAYOUT, KASTURI NAGAR
BENGALURU - 560 043.
CET NUMBER: CE486.
DATE OF ADMISSION:: 29/06/2015.
- 9 . MR. AKHIL KARUN
AGED ABOUT 23 YEARS
FATHER'S NAME: KARUN
ADDRESS: 502, 4TH 'A' CROSS,
MEI LAYOUT,
BENGALURU - 560 073

CET NUMBER - CC002.

- 10 . MRS. APARNA CHITHARANJAN
AGED ABOUT 24 YEARS
FATHER'S NAME: CHITHARANJAN N.,
ADDRESS: NO. 67, DEVAKI
1ST CROSS, PRASHANTHAGAR
T.DASARAHALLI P.O.,
BENGALURU - 560 057
DATE OF ADMISSION:: 25/06/2015,
CET NUMBER: BH015.
- 11 . MS. APARNA M.MENON
AGED ABOUT 23 YEARS
FATHER'S NAME: MURALEEKRISHNAN V.,
ADDRESS: V.N. 19, PRUSKA SILVANA HUSKUR
BUDIGERE CROSS OF ROAD
OLD MADRAS ROAD
BENGALURU-560 049.
DATE OF ADMISSION:: 23/07/2015
CET NUMBER: UM140.
- 12 . MS. ASHWINI J.K.,
AGED ABOUT 24 YEARS
FATHER'S NAME: JAIGANTHAN
ADDRESS: 37, KAVERI NAGAR
BEML NAGAR, KGF - 563 115
DATE OF ADMISSION:: 29/06/2015
CET NUMBER: SD101.
- 13 . MS. DISHA HAYAGREEV
AGED ABOUT 24 YEARS
FATHER'S NAME: SUDHINDRA HAYAGREEV
ADDRESS: D-1702, EKTA MEADOWS
SIDDIRATH NAGAR, BORAVLI EAST
MUMBAI - 400 066,
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: AE099.

- 14 . MS. DIVYA SHANKAR
AGED ABOUT 24 YEARS
FATHER'S NAME: G.K.SHANKAR
ADDRESS:#8, A.G'S COLONY
1ST CROSS, ANANDNAGAR, HEBBAL
BENGALURU - 560 024
DATE OF ADMISSION:: 29/06/2015
CET NUMBER: AD160.
- 15 . MS. GOWRIE MAIYA
AGED ABOUT 23 YEARS
FATHER'S NAME: JAYA PRASANNA K.G.,
ADDRESS: 401, HIMALAYA CROWN APARTMENTS
5/1, OPPOSITE LAW COLLEGE
AMRAVATI ROAD, TILAK NAGAR
NAGPUR - 440 010
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: CY650.
- 16 . MS. HASMITHA J.,
AGED ABOUT 24 YEARS
FATHER'S NAME: JAYACHANDRA
ADDRESS: 145, 1ST CROSS
CENTRAL EXCISE LAYOUT
BHOOPASANDRA
BENGALURU - 560 094,
DATE OF ADMISSION:: 23/07/2015
CET NUMBER: BN102.
- 17 . MS. INIYA E.,
AGED ABOUT 23 YEARS
FATHER'S NAME: A EZHILARASAN
ADDRESS: F5, KUMBHA LAKE SHORE BLOCK 5
LAKE VIEW RESIDENCY
KODICHIKKANAHALLI, IIMB POST
BENGALURU - 560 076
DATE OF ADMISSION:: 25/06/2015

CET NUMBER: CX149.

- 18 . MR. VISHAL K.,
AGED ABOUT 23 YEARS
FATHER'S NAME: E.KAMALESAN
ADDRESS: #2, DHANAM NILAYAM
3RD BLOCK, 7TH LANE DASSAPPA LAYOUT
RAMMURTHY NAGAR
BENGALURU - 560 016
DATE OF ADMISSION:: 26/09/2015
CET NUMBER: CH153.
- 19 . MS. KIRUTHIKA T.,
AGED ABOUT 23 YEARS
FATHER'S NAME: P.THANGAVEL
ADDRESS: #4, 27TH MAIN
5TH CROSS, EJIPURA
VIVEKNAGAR POST
BENGALURU - 560 047
DATE OF ADMISSION:: 24/07/2015
CET NUMBER: DD435.
- 20 . MR. MOHAMMED SALMAN HYDER
AGED ABOUT 24 YEARS
FATHER'S NAME: M.HASEEN ALI
ADDRESS: #526, 170 MAIN
6TH BLOCK, KORAMANGALA
BENGALURU -560 095
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: CH010.
- 21 . MS. N.B.VARSHA
AGED ABOUT 24 YEARS
FATHER'S NAME: N.B.BHUVANESHWARIAH
ADDRESS: # 417, 9TH C MAIN
HRBR 1ST BLOCK, KALYAN NAGAR
BENGALURU - 560 043
DATE OF ADMISSION:: 25/06/2015

CET NUMBER: AC394.

- 22 . MS. NASHRA ALMA
AGED ABOUT 24 YEARS
FATHER'S NAME: ASLAM AHAMED
ADDRESS:# 51, 19TH MAIN, 5TH CROSS
MEI LAYOUT, BAGALAGUNTE
HESARAGHATTA MAIN ROAD
BENGALURU - 560 073
DATE OF ADMISSION:: 24/06/2015
CET NUMBER: AQ277.
- 23 . MS. NIDHISHREE K.,
AGED ABOUT 24 YEARS
FATHER'S NAME: M.V.KRISHNA MURTHY
ADDRESS:#23, "SHRINIDHI", 5TH MAIN
NEW K.G.LAYOUT, KATRIGUPPE
BSK 3RD STAGE, BENGALURU - 560 085
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: CZ194.
- 24 . MR. SANJEET S.,
AGED ABOUT 24 YEARS
FATHER'S NAME: SIVAKUMAR N.,
ADDRESS: # 10, 3RD MAIN ROAD
SRINIVASA LAYOUT, KAVAL BYRASANDRA
R.T. NAGAR, BENGALURU - 560 032
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: BR418.
- 25 . MS. SHARABANI SHARMA
AGED ABOUT 23 YEARS
FATHER'S NAME: D/O SHARMA
ADDRESS: B6-402,SRIRAM SPANDANA
OLD AIRPORT ROAD
BENGALURU - 560 017
DATE OF ADMISSION:: 22/07/2015
CET NUMBER: DD309.

- 26 . MS. SUBASHINI AZHAGAPPA
AGED ABOUT 23 YEARS
FATHER'S NAME: AZHAGAPPA B.,
ADDRESS: 401 BLOCK 'C'
RADIANT JASMINE GARDENS
SHIVANAHALLI
YELAHANKA OLD TOWN
BENGALURU - 560 064
DATE OF ADMISSION:: 25/06/2015
CET NUMBER: AW310.
- 27 . MS. SWATHI A.BHUSARE
AGED ABOUT 24 YEARS
FATHER'S NAME: ASHOK M.BHUSARE
ADDRESS: #5/1/55, DC OFFICE ROAD
NEAR HANUMAN TEMPLE, KEB COLONY
YADGIRI - 585 202
DATE OF ADMISSION: 22/07/2015
CET NUMBER: AR238.
- 28 . MS. SIRIVELLA SOWMYASHREE
AGED ABOUT 23 YEARS
FATHER'S NAME: SIRIVELLA VIJAYA KUMAR
ADDRESS: NO. 997, 16TH CROSS, 12TH 'A' MAIN
'A' SECTOR, YELAHANKA NEW TOWN
BENGALURU - 560 064
CET NO: BJ507
DATE OF ADMISSION:: 25/06/2015.
- 29 . MS. PREKSHA SHIVAKUMAR
AGED ABOUT 24 YEARS
FATHER'S NAME: DR.SHIVA KUMAR P. V.,
ADDRESS: NO. 218, 6TH A MAIN, 2ND BLOCK
HRBR LAYOUT, KALYAN NAGAR
BENGALURU - 560 043
CET NO: AR171
DATE OF ADMISSION:: 13/07/2015.

- 30 . DR.ARJUN SIVAKUMAR
AGED ABOUT 24 YEARS
ADDRESS: FF-16, BALAJINEST APT
4TH BLOCK, HBR LAYOUT
KALYAN NAGAR
BENGALURU - 560 043
CET NUMBER: CC246,
DATE OF ADMISSION:: 25/06/2015.
- 31 . MR. PRANAV SANJAY RAMAMURTHY
AGED ABOUT 23 YEARS
FATHER'S NAME: SANJAY RAMAMURTHY
ADDRESS-23(3), SKANDA 5TH CROSS
KUMARA PARK WEST
BENGALURU - 560020
CET NUMBER: BZ193
DATE OF ADMISSION:: 25/06/2015.
- 32 . MS. NILANJANA DAHIYA
AGED ABOUT 23 YEARS
FATHER'S NAME: D.S.DAHIYA
ADDRESS: B-804, JALAVAYU HEIGHTS
HMT MAIN ROAD, JALAHALLI
BENGALURU - 560 013
CET NUMBER: AR099
DATE OF ADMISSION:: 28/07/2015.
- 33 . MS. RUCHIKA
AGED ABOUT 23 YEARS
FATHER'S NAME: ASHWINI KUMAR
ADDRESS: B501, SALARPURIA SILVER WOODS
C.V.RAMAN NAGAR, NAGAVARA PALYA
BENGALURU - 560 093
CET NUMBER: BP225
DATE OF ADMISSION:: 27/05/2015.

...PETITIONERS

(BY SRI AKASH V.T., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
VIKASA SOUDHA
BENGALURU - 560 001.

- 2 . COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
GOVERNMENT OF KARNATAKA
REP. BY ITS COMMISSIONER
HAVING OFFICE AT AROGYA SOUDHA
MAGADI ROAD
BENGALURU - 560 023.

- 3 . THE DIRECTORATE OF MEDICAL EDUCATION
REP. BY ITS DIRECTOR
HAVING OFFICE AT ANANDA RAO CIRCLE
BENGALURU - 560 009.

- 4 . THE RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCES
REP. BY ITS REGISTRAR
HAVING OFFICE AT 4TH 'T' BLOCK
JAYANAGAR
BENGALURU - 560 041.

- 5 . KARNATAKA MEDICAL COUNCIL
REP. BY ITS REGISTRAR
HAVING OFFICE AT NO. 70, 2ND FLOOR
VIDYAKEEYA BHAVANA, K.R.ROAD
H.B.SAMAJA ROAD CORNER
BASAVANAGUDI
BENGALURU-560 004.

...RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W
SMT. PRAMODHINI KISHAN, AGA FOR R-1 TO R-3;
SRI M.S.DEVARAJU, ADVOCATE FOR R-4;
SMT. RATNA N SHIVAYOGIMATH, ADVOCATE FOR R-5)

THIS WP FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTIFICATION DATED 8.6.2021 PRODUCED AT ANNEXURE-A AND DIRECT THE R-3 TO CONSIDER THE REPRESENTATION DATED 13.6.2021 AT ANNEXURE-B AND CONSEQUENTLY TO DIRECT THE R-3 TO ISSUE NO OBJECTION CERTIFICATES TO THE PETITIONERS.

IN WRIT PETITION No.10751 OF 2021:

BETWEEN:

DR.SHIVANI RAMACHANDRAN
D/O.MR. RAVI RAMACHANDRAN
AGE: 24 YEARS
#309, SHAMBHAVI SOVEREIGN
VIDYARATHNA NAGAR
SHIVALLI
MANIPAL - 576 104.

...PETITIONER

(BY SRI VIVEKANANDA S., ADVOCATE)

AND:

1 . UNION OF INDIA,
MINISTRY OF HEALTH AND FAMILY WELFARE
NEAR UDYOG BHAWAN METRO STATION
MAULANA AZAD ROAD
NEW DELHI
DELHI - 110 011.
REPRESENTED BY SECRETARY TO THE GOVERNMENT.

- 2 . THE STATE OF KARNATAKA,
COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
AROGYA SOUDHA, MAGADI ROAD
BENGALURU - 560 023.
REPRESENTED BY SECRETARY/DIRECTOR.
- 3 . THE DIRECTORATE OF MEDICAL EDUCATION (DME)
ANANDA RAO CIRCLE,
BENGALURU - 560 009.
REPRESENTED BY ITS REGISTRAR.
- 4 . NATIONAL MEDICAL COUNCIL (NMC)
HEAD OFFICE, POCKET-14, SECTOR-8,
DWARKA,
NEW DELHI - 110 077.
REPRESENTED BY ITS SECRETARY.

...RESPONDENTS

(BY SRI M.N.KUMAR, CGC FOR R-1;
SRI R.SUBRAMANYA, AAG A/W
SMT. PRAMODHINI KISHAN, AGA FOR R-2 AND R-3;
SRI N.KHETTY, ADVOCATE FOR R-4)

THIS WP FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASHING THE IMPUGNED NOTIFICATION DATED 08.06.2021 ISSUED BY R2 GOVERNMENT OF KARNATAKA, COMMISSIONERATE OF HEALTH AND FAMILY WELFARE SERVICES IN ANNEXURE A AS ILLEGAL AND VOID IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.,

IN WRIT PETITION No.13569 OF 2021

BETWEEN:

- 1 . ANANYA ANANTHARAMAN
AGED ABOUT 23 YEARS

D/O ANANTHA RAMAN RAJARAMAN
ADDRESS: B.2 EARTH, WILASA
DODDAKALASANDRA
KONANAKUNTE CROSS ROAD
OLD KUMARAN SCHOOL ROAD
BENGALURU - 560 062
DATE OF ADMISSION: 25.06.2015.
CET NO.AL431.

- 2 . ANKITHA R.,
AGED ABOUT 24 YEARS
D/O RAVISHANKAR V.,
ADDRESS: 583, 7TH CROSS
NORTH BLOCK, UPKAR RESIDENCY
VISWANEEDAM P.O,
BENGALURU - 560 091.
DATE OF ADMISSION: 25.06.2015.
CET NO.AH053.
- 3 . SYED SAFWAN
AGED ABOUT 23 YEARS
S/O. SYED RIZWAN
PERMANENT ADDRESS: NO.3A, 3RD CROSS
HUTCHINS ROAD, ST.THOMAS TOWN
BENGALURU - 560 084.
DATE OF ADMISSION: 25.06.2015.
CET NO.AH277.
- 4 . ADITHYA THEJESH B.,
AGED ABOUT 23 YEARS
S/O H.N.BABU
ADDRESS: 14/6, NEAR PRASANNA TALKIES
MAGADI ROAD, BENGALURU - 560 023.
DATE OF ADMISSION: 05.10.2015.
CET NO.CY771.
- 5 . DR. CHINMAY M.BIRADAR
AGED ABOUT 23 YEARS

S/O MAHANTESH H.BIRADAR
ADDRESS: PLOT NO.46, 107/B LAYOUT
ANAND NAGAR, ASHRAM ROAD
BIJAPUR - 586 103.
CET NO.JB522.
DATE OF ADMISSION: 25.06.2015.

- 6 . ARJUMAN SADAF A.,
AGED ABOUT 24 YEARS
S/O MOHAMMED ASLAM
ADDRESS: NO.1718/A1/20
ASHIYAN E.ARJUMAN, 5TH CROSS
SHETTRUJIN LAYOUT, KB EXTENSION
DAVANAGERE - 577 002.
DATE OF ADMISSION: 25.06.2015.
CET NO.LL209.
- 7 . ASHWINI
AGED ABOUT 24 YEARS
D/O BASAVARAJ
ADDRESS: 1/82, MAHAGOAN
GULBARGA - 585 101.
CET NO.PR474.
DATE OF ADMISSION: 30.06.2015.
- 8 . DR.GOWTHAM G.,
AGED ABOUT 23 YEARS
S/O. GANGAPPA G.M.,
ADDRESS: MARUTHINAGAR
SRINIVASPUR, KOLAR - 563 135.
DATE OF ADMISSION: 25-06-2015
CET NO.SU087
- 9 . DR.HARSHITHA G.,
D/O GOPALA M.,
AGED ABOUT 24 YEARS
ADDRESS: no.136 PRABHAKAR LAYOUT
BEHIND KSRTC BUS DEPO

BANGLAORE ROAD, CHINTAMANI
CHICKABALLAPUR - 563 125.
DATE OF ADMISSION: 30-06-2015.
CET NO.SA160.

- 10 . POOJA G.,
D/O GOVINDARAJU M.,
AGED ABOUT 24 YEARS
ADDRESS: 68/4, BALAJI NILAYA
BALAJI LAYOUT
NEAR MANJUNATHA KALYAA MANTAPA
VAJRAHALLI, KANAKAPURA MAIN ROAD
BENGALURU - 560 062.
DATE OF ADMISSION: 13-07-2015.
CET NO.CD221.
- 11 . K.RAHUL SHENOY
S/O K.RAJARAM SHENOY
AGED ABOUT 24 YEARS
ADDRESS: LAXMI NIVAS
DOOR NO.13:10:1337/1
MAHAMAYA TEMPLE ROAD
FIELD STREET, MANGALORE - 575 001.
CET NO.MD181.
DATE OF ADMISSION: 30-06-2015.
- 12 . KAVANA S.,
AGED ABOUT 24 YEARS
D/O H.P.SHIVASWAMY
ADDRESS: no.36 GURUKRUPA
VIVEKANANDA BLOCK
TEACHERS LAYOUT
MYSORE - 570 001.
DATE OF ADMISSION: 25-06-2015.
CET NO.UN380.
- 13 . LIPIKA PRABHU
AGED ABOUT 23 YEARS

D/O DR.VISHNU PRABHU
ADDRESS: VAISHNAVI
BESIDE ISKON TEMPLE
ARYA SAMAJ ROAD
MANGALORE - 575 003.
DATE OF ADMISSION: 22-07-2015.
CET NO.MJ242.

- 14 . MANDARA M.GOWDA
D/O MARISWAMY GOWDA D.R.,
AGED ABOUT 24 YEARS
ADDRESS: KT 62, I CROSS
CHAMMUNDESHWARI NAGAR
MANDYA - 571 401
DATE OF ADMISSION: 23-07-2015
CET NO.TX087.
- 15 . MR. MITHUN KUMAR S. B.,
AGED ABOUT 24 YEARS
S/O. BASAVARAJA S.,
ADDRESS: NO. 195, THOWDURU
THOWDURU POST, HARAPANAHALLI TQ
VIJAYANAGARA DISTRICT - 583 125
DATE OF ADMISSION: 15-07-2015
CET NO.LK458.
- 16 . MS. NEHA P.S.,
AGED ABOUT 23 YEARS
D/O. SATEESH KUMAR P.G.,
ADDRESS: 2164/1, 4TH MAIN,
MCC 'A' BLOCK, DAVANAGERE
KARNATAKA - 577 004.
DATE OF ADMISSION: 25-06-2015
CET NO-LJ247.
- 17 . MR. NISHAT SHAIK
AGED ABOUT 23 YEARS
S/O SHAKIR HUSSAIN SHAIK

ADDRESS: 403, SKANDA PARK AVENUE
CHANAKYAPURI COLONY
A CAMP, KURNOOL - 518 001.
DATE OF ADMISSION: 26-05-2015.
CET NO.AG268.

- 18 . MR. RAKESH K.M.,
AGED ABOUT 24 YEARS
S/O. MANJUNATHA K.M.,
ADDRESS: KANNAMANGALA VILLAGE
SIDLAGHATTA TALUK
CHIKKABALLAPURA - 562 105.
DATE OF ADMISSION: 24-07-2015.
CET NO.SS226.
- 19 . MR. SIDDHARTHA RAO B.S.,
AGED ABOUT 23 YEARS
S/O SHRINIVASA RAO B.R.,
ADDRESS: 3215, KODANGALA HOUSE
OPP. INSPECTION BUNGALOW
BRAHMAGIRI, UDUPI - 576 101.
DATE OF ADMISSION: 23-07-2015.
CET NO.WD151.
- 20 . RAGHAVENDRA V.,
AGED ABOUT 23 YEARS
FATHER NAME: VENKATESHAPPA M.R.,
ADDRESS: SHIVA KRIPA
KALAPPA LAYOUT
TANK BUND ROAD WEST
CHINTAMANI,
CHIKKABALLAPUR DISTRICT-563 125.
CET NO.SS394.
DATE OF ADMISSION: 26-09-2015.
- 21 . MR. SURESH
AGED ABOUT 24 YEARS
S/O SANTOSH

ADDRESS: 2/224, NEAR PANCHAYAT
MANNAEKHELLI
HUMNABAD, BIDAR - 585 227.
DATE OF ADMISSION: 01-07-2015.
CET NO.PM409.

- 22 . MR. SWAROOP G.HEGDE
AGED ABOUT 23 YEARS
S/O GIRISHA K.L.,
ADDRESS: #229/3B, 1ST STAGE
5TH CROSS, GANGOTHRI LAYOUT
MYSORE - 570 009.
DATE OF ADMISSION: 23-07-2015.
CET NO.UL126.
- 23 . MS. SAHANA H.S.,
AGED ABOUT 23 YEARS
D/O SHYAM SUNDER H.S.,
ADDRESS: NO.462, MANGALA
7TH CROSS, 7TH MAIN, ST BED
KORMANGALA,
BENGALURU - 560 034.
DATE OF ADMISSION: 20-07-2015.
CET NO.CW306.
- 24 . MR. ISHAN TICKOO
AGED ABOUT 23 YEARS
S/O MR. SANJAY TICKOO
ADDRESS: A37, PANDARA ROAD
NEW DELHI - 110 003.
DATE OF ADMISSION: 22-07-2015.
CET NO.CE595.
- 25 . MR. SHAMA R.KAMATH
AGED ABOUT 23 YEAR
D/O RAVEESH KAMATH P.,
ADDRESS: SHAMA CHILDREN'S HOSPITAL
VINOBHA ROAD, SUNDAR NAGAR, KOPPA

CHIKKAMAGALUR DISTRICT - 577 126.
DATE OF ADDMISSION: 25-06-2015.
CET NO.ML421.

- 26 . MR. SHRAVAN KUMAR B.G.,
AGED ABOUT 23 YEARS
S/O CHANNABASAPPA B.G.,
ADDRESS: DEEPU CLINIC
OPP. POLICE STATION
KUDLIGI ROAD, SANDUR
BALLARI - 583 119
DATE OF ADMISSION: 14-07-2015
CET NO.MK243.
- 27 . MS. SPANDANA PALISETTI
AGED ABOUT 24 YEARS
D/O SUDHAKAR PALISETTI
ADDRESS: VILLA 51, ADARSH PALM
RETREAT VILLAS, DEVARABISANAHALLI
BELLANDUR, BENGALURU - 560 103.
DATE OF ADDMISSION: 25-06-2015.
CET NO.AR194.
- 28 . MS. SHREERAKSHA K.S.,
AGED ABOUT 23 YEARS
D/O SRIDHAR K.L.,
ADDRESS: 300, 2/5 MAIN ROAD
6TH CROSS, I BLOCK
RAMAKRISHNA NAGAR
MYSURU - 560 022.
DATE OF ADMISSION: 20-07-2015.
CET NO.UD498.
- 29 . MR. SUJITH S.,
AGED ABOUT 23 YEARS
S/O S.SHEKAR
ADDRESS: 1543
SRI RAGHAVENDRA KRUPA

7TH CROSS, 1ST CROSS ROAD
S.V.P. NAGAR, POLICE LAYOUT
2ND STAGE, MYSORE - 570 028.
ADMISSION DATE ACCORDING TO
KEA ORDER: 30-09-2015.
CET NO.UQ325.

- 30 . MS. SNEHA PATIL
AGED ABOUT 24 YEARS
D/O HANAMANTHAGOUDA PATIL
ADDRESS: NEAR BASAVESHWAR TEMPLE
HULKOTI, GADAG - 582 101.
DATE OF ADMISSION: 30-06-2015.
CET NO.MH090.
- 31 . MS. RASHMI JAYAKAR POOJARY
AGED ABOUT 23 YEARS
D/O JAYAKAR POOJARY
ADDRESS: MATHRU KRIPA
SHYAM CIRCLE, AMBAGILU
UDUPI - 576 105
DATE OF ADMISSION: 25-06-2015.
CET NO.WA153
- 32 . MS. POORNA PRASAD
AGED ABOUT 23 YEARS
D/O KRISHNA PRASAD T.N.,
ADDRESS: 324, GOPIKA
7TH MAIN, 14TH CROSS
HSR LAYOUT, SECTOR-6
BENGALURU - 560 102
DATE OF ADMISSION: 20-07-2015.
CET NO. CL204.
- 33 . MR. PRAVEEN RAVINDRA HEGDE
AGED ABOUT 24 YEARS
S/O RAVINDRA HEGDE
ADDRESS: ANUSHREE BUILDING

NEAR BASAVESHWARA TEMPLE
BASAVESHWARANAGAR
HUBLI ROAD, SIRSI
UTTARA KANNADA - 581 402
DATE OF ADMISSION: 14-07-2015.
CET NO. MC476.

- 34 . MR. M.D.MUSTAFA
AGED ABOUT 24 YEARS
S/O SHAMSHALAM
ADDRESS: NO.4:4:101/107/1
DHANALAKSHMI LAYOUT
ZAHEERABAD
RAICHUR - 584 101
DATE OF ADMISSION: 29-06-2015.
CET NO. MA444.
- 35 . MR. MANOJ P.,
AGED ABOUT 24 YEARS
S/O PARTHA SARATHY T.V.,
ADDRESS: 313, TEJOMANA NILAYA
BEHIND SAI MANOHARA GOWDA HOSPITAL
TILES FACTORY CIRCLE
MUTHYALPET, MULBAGAL
KOLAR - 563 131,
DATE OF ADMISSION: 25-06-2015.
CET NO. SE164.
- 36 . MS. K.KRUPARTHA
AGED ABOUT 24 YEARS
D/O S.KUMARASWAMY,
ADDRESS: SIDDU KRUPA NILAYA
DOOR NO. C:83, KALYANA NAGAR
JYOTI NAGAR POST
CHIKKAMAGALURU - 577 101
DATE OF ADMISSION: 24-07-2015.
CET NO. MX029.

- 37 . MR. KOMPAL MOHAN
AGED ABOUT 23 YEARS
RAJEEV MOHAN
ADDRESS: M:104, TOWER 6
ADARSH PALM RETREAT
BELLANDUR
BENGALURU - 560 103
DATE OF ADMISSION: 20-07-2015.
CET NO. BF316.
- 38 . G.MADHU
AGED ABOUT 25 YEARS
S/O. G.SHIVANNA
ADDRESS: D/O G.SHIVAPPA
BUDUNOOR ROAD, HUVINAHADAGALI
BALLARI - 583 219
DATE OF ADMISSION: 15-07-2015
CET NO. BM093
- 39 . MS. ARPITA GIRADDI
AGED ABOUT 24 YEARS
D/O RAJENDRAGOUDA GIRADDI
ADDRESS: DR. A.GIRADDI ISHWAR NAGAR
GIRADDI ONI RON
GADAG - 582 101
DATE OF ADMISSION: 23-07-2015
CET NO. MJ471.
- 40 . MS. ANAGHA SHARMA
AGED ABOUT 24 YEARS
D/O SAIKUMAR H.V.,
ADDRESS: 1033/2A
SRI SAI KRIPA BEHIND
GEETHA ROAD CHAMARAJA PURAM
MYSORE - 570 005.
DATE OF ADMISSION: 07-10-2015.
CET NO. UM372.

- 41 . MS. THANMAYI B.M.,
AGED ABOUT 23 YEARS
D/O MRUTHYUNJAYA B.M.,
ADDRESS: NAGARESHWARA BADAVANE
KOLAR CIRCLE
SRINIVASPUR - 563 135.
DATE OF ADMISSION: 25-06-2015.
CET NO. SD097.
- 42 . MS. RUBINA MUSKAN
AGED ABOUT 24 YEARS
D/O FAYAZ AHMED
ADDRESS: GAFFAR KHAN MOHALL
SRINIVASPUR
KOLAR - 563 135
DATE OF ADMISSION: 20-07-2015.
CET NO. SE214.
- 43 . MR. SUHAL SHANKARGOUDA PATIL
AGED ABOUT 24 YEARS
S/O SHANKARGOUDA
ADDRESS: PLOT C: 74, SECTOR 35
NAVANAGAR
BAGALKOT - 587 102
DATE OF ADMISSION: 23-07-2015
CET NO. MJ024
- 44 . KIRAN N.C.,
AGED ABOUT 23 YEARS
S/O CHANDRASHEKHARAIHAH N.G.,
ADDRESS: NANDIHALLI, HIREHALLI POST
TUMKUR - 572 168.
DATE OF ADMISSION: 25-06-2015
CET NO. YB206
- 45 . KAVYA J.,
AGED ABOUT 24 YEARS
D/O JAYAKUMAR P.,

ADDRESS: NO. 109, 5TH CROSS
BAPUJI LAYOUT, NEAR VIJAYANAGAR
BENGALURU - 560 040
DATE OF ADMISSION: 23/07/2015
CET NO. BU127

- 46 . MS. S.MONIKA
AGED ABOUT 24 YEARS
D/O P.SIVAKKUMAR
ADDRESS: #307, KOLIMI HEIGHTS
MURPHY TOWN, ULSOOR
BENGALURU - 560 008.
DATE OF ADMISSION: 06-10-2015
CET NO. SM19.
- 47 . MS. PREETHI RAJU TENGINAKAI
AGED ABOUT 24 YEARS
D/O K.T.RAJU
ADDRESS: NO.430, 8TH CROSS
NEAR VASAVI TEMPLE
MAHALAKSHMI LAYOUT
BENGALURU - 560 086.
DATE OF ADMISSION: 25-06-2015
CET NO. BY227
- 48 . MS. SOUMYA MATHEW
AGED ABOUT 24 YEARS
D/O MATHEW P.E.,
ADDRESS: NO. 10, 5TH CROSS, 12TH MAIN
HONGASANDRA, BOMMANAHALLI
BENGALURU - 560 068
DATE OF ADMISSION: 25-06-2015
CET NO. AT188.
- 49 . MR. RAVINANDAN H.A.,
AGED ABOUT 23 YEARS
S/O ANNAIAH H.S.,
ADDRESS: #44/B, 6TH CROSS

3RD STAGE, A BLOCK, DATTAGALLI
KANAKADASA NAGAR
(NEAR JODIBEVINAMARA)
MYSURU - 570 022.
DATE OF ADMISSION: 29/06/2015
CET NO. UK222.

- 50 . MS. SHREYA BHAT
AGED ABOUT 24 YEARS
D/O BALAKRISHNA BHAT K.,
ADDRESS: FLAT NO. 406,
MURARI ORCHIDS
BANASHANKARI 6TH STAGE
11TH BLOCK, SRINIVASAPURA
BENGALURU - 560 060.
DATE OF ADMISSION: 20-07-2015
CET NO. AF512.
- 51 . MS. VINYASA M.R.,
AGED ABOUT 24 YEARS
D/O M.L.RAMACHANDRA
ADDRESS: #3637, 8TH MAIN
5TH CROSS, 'H' BLOCK
DATTAGALLI 3RD STAGE
NEAR NETAJI CIRCLE
MYSURU - 570 022.
DATE OF ADMISSION: 25-06-2015
- 52 . MS. PRIYANKA N.H.,
AGED ABOUT 23 YEARS
D/O HALAPPA N.,
ADDRESS: 808/10
SHIVAKUMARASWAMY LAYOUT
1ST STAGE, MAILARALINGESHWARA NILAYA
NEAR KASTHURABHA PU COLLEGE
DAVANAGERE - 577 005.
DATE OF ADMISSION: 25-06-2015
CET NO. LJ089.

- 53 . MR. YASHWANTH NAIK M.B.,
AGED ABOUT 24 YEARS
S/O BALAKRISHNA NAIK
ADDRESS: SUBRAMANYA NAGAR
7TH CROSS, ARSIKERE
HASSAN - 573 103.
DATE OF ADMISSION: 25-07-2015
CET NO. QD537.
- 54 . MS. SWATI SHARMA
AGED ABOUT 23 YEARS
D/O PRAMOD KUMAR
ADDRESS: C206, MANTRI SAROVAR
SECTOR 4, HSR LAYOUT
BENGALURU - 560 102.
DATE OF ADMISSION: 25-06-2015
CET NO. CY668.
- 55 . MS. VINDHYA S.,
AGED ABOUT 24 YEARS
D/O K.V.SURESH
ADDRESS: CORONATION ROAD
BEHIND BHAVANI TILES
NEAR BALAMURUGAN TEMPLE
BANGARPET, KOLAR - 563 114
DATE OF ADMISSION: 25-06-2015
CET NO. SM103.
- 56 . MR. VITTAL M.,
AGED ABOUT 24 YEARS
S/O MANOHAR B.,
ADDRESS: #166, 3RD MAIN
4TH 'A' CROSS, CFTRI LAYOUT
BOGADI, 2ND STAGE
MYSORE - 570 026.
DATE OF ADMISSION: 25-06-2015
CET NO. UF210.

- 57 . MR. TEJESH B.,
AGED ABOUT 23 YEARS
S/O LATE C.BASAVARAJU
ADDRESS 4111/391
4TH CROSS, KHB COLONY
NANJANGUD TALUK, MYSORE
DATE OF ADMISSION: 25-06-2015
CET NO. UA402.
- 58 . MS. NIDA ANJUM AHMED
AGED ABOUT 25 YEARS
D/O AIJAZ AHMED
ADDRESS: 24, 5TH CROSS
8TH MAIN, JAYANAGAR 3RD BLOCK
BENGALURU - 560 041.
DATE OF ADMISSION: 30-09-2015
CET NO. BR471.
- 59 . MR. KAILASH N.,
AGED ABOUT 24 YEARS
S/O D.NARENDRAN
ADDRESS: 201, BALAJI KRUPA
6TH 'E' CROSS, KAGGADASAPURA
C.V.RAMAN NAGAR
BENGALURU - 560 093.
DATE OF ADMISSION: 25-06-2015
CET NO. CK104.
- 60 . MR. ABHIRAM M.GOGI
AGED ABOUT 24 YEARS
S/O MALLIKARJUN R.GOGI
ADDRESS: C/O ROSAMMA BABY NO.48
4TH CROSS, 12TH WARD NEAR
NAAGA MARIAMMA TEMPLE
K.G.HALLI, JALAHALLI
BENGALURU - 560 015
DATE OF ADMISSION: 29-06-2015

CET NO. AH199.

- 61 . MS. DEEPTHI PRASAD P. S.,
AGED ABOUT 23 YEARS
D/O SHANKAR PRASAD P.M.,
ADDRESS: HIMADRINILAYA NEAR RTO OFFICE
BANGARPET ROAD, KOLAR - 563 101.
DATE OF ADMISSION: 20-07-2015
CET NO. SD428.
- 62 . MS. NIVEDITA SANJIV GUNJIKAR
AGED ABOUT 24 YEARS
D/O SANJIV GUNJIKAR
ADDRESS: DOOR NO. 2903/D 43, C1,
KINGS MANSION APARTMENT
3RD MAIN ROAD, VV MOHALLA
MYSURU - 570 002.
DATE OF ADMISSION: 25-06-2015
CET NO. BG033.
- 63 . MS. TEJASWINI M.,
AGED ABOUT 24 YEARS
D/O LATE MUKUNDRAJ T.,
ADDRESS: MIG: 124/A, KALLAHALLI
K.H.B.COLONY, 2ND STAGE
VINOBBHANAGARA
SHIVAMOGGA - 577 204
DATE OF ADMISSION: 25-06-2015
CET NO. XG099.
- 64 . MR. MAYUR N.HEBSUR
AGED ABOUT 24 YEARS
S/O NARAYANCHANDRA I.HEBSUR
ADDRESS: HEBSUR HOSPITAL
DESHPANDE NAGAR, HUBLI - 580 029.
DATE OF ADMISSION: 25-06-2015
CET NO. NJ694.

- 65 . MS. GAGANA R.,
AGED ABOUT 24 YEARS
D/O K.RAJU
ADDRESS DOOR NO. 35, 4TH CROSS
1ST STAGE, GOKULAM
MYSORE - 570 002
DATE OF ADMISSION: 20-07-2015
CET NO. UF512
- 66 . MR. SHAILESH KUMAR
AGED ABOUT 23 YEARS
S/O CHANDRASHEKAR
ADDRESS: HUTTURKE HOUSE
CHARA VILLAGE AND POST
HEBRI TALUK, UDUPI DISTRICT
HEBRI - 576 112.
DATE OF ADMISSION: 28-09-2015
CET NO. WD137.
- 67 . MS. SHILPA C.B.,
AGED ABOUT 24 YEARS
D/O H.S.BASAVARADHYA
SAMPIGE SIDDESHWARA NILAYA
SHIVAKUMAR SWAMIJI ROAD
ARAVIND NAGAR, BASAVANAHALLI
CHIKKAMAGALURU - 577 101.
DATE OF ADMISSION: 30/09/2015
CET NO. KB441.
- 68 . MR. VINAY KUMAR N.,
AGED ABOUT 23 YEARS
S/O NAGARAJU M.,
ADDRESS NO.32, 1ST CROSS
PREETHI LAYOUT, BOGADI
MYSURU - 570 026.
DATE OF ADMISSION: 05-10-2015
CET NO. UM430.

- 69 . MS. MEGHA D.S.,
AGED ABOUT 23 YEARS
D/O G.B.DHANANJAYA MURTHY
ADDRESS: HOUSE NO.2
D.KRISHNAPPA BUILDING
FIRST FLOOR, NAGONDANAHALLI
IMMADIHALLI MAIN ROAD
WHITEFIELD, BENGALURU - 560 066
DATE OF ADMISSION: 25-06-2015
CET NO. CU335.
- 70 . MS. ANANYA C.L.,
AGED ABOUT 24 YEARS
D/O DR.LAXMEGOWDA
ADDRESS: NO. 1206, LAKSHMI NILAYA
7TH MAIN, 12TH CROSS
1ST STAGE, VIJAYNAGAR
MYSORE - 570 017.
D.O.A. ACCORDING: 08-07-2015
CET NO. MD419.
- 71 . MS. KEERTHANA R.,
AGED ABOUT 23 YEARS
D/O P.RAJU
ADDRESS: GF3, ABHI AKSHAYA MANSION
OFFICERS MODEL COLONY
KALASHRI NAGAR, T.DASARAHALLI
BENGALURU - 560 057.
DATE OF ADMISSION: 29-06-2015
CET NO. AY314.
- 72 . MR. N.MONISH
AGED ABOUT 23 YEARS
S/O NARAYANA REDDY
ADDRESS: NO. 23, 1ST MAIN
16TH CROSS, GOPALAPPA LAYOUT
LAKKASANDRA, WILSON GARDEN
BENGALURU - 560 030.

DATE OF ADMISSION: 25-06-2015
CET NO. DD048.

- 73 . MR. YASHAS SHANKAR
AGED ABOUT 23 YEARS
S/O A.J.SHANKAR
NO. 4959, 7TH MAIN, 7TH CROSS
VIJAYANAGAR, 2ND STAGE
MYSURU - 570 017
DATE OF ADMISSION: 13-07-2015
CET NO. UH097.
- 74 . ATAUR RAHMAN
AGED ABOUT 24 YEARS
S/O ABDUL REHMAN KHAN
ADDRESS: 65 RAHAMATH MANZIL
HULIYAR ROAD
JAYACHAMARAJAPURA, ARSIKERE
HASSAN - 573 126.
DATE OF ADMISSION: 25-06-2015
CET NO. YZ096.
- 75 . MR. RAKSHITH M.,
AGED ABOUT 23 YEARS
S/O MAHADEVIAIAH
NO. 58, 2ND CROSS, 2ND MAIN ROAD
BALAJI LAYOUT, VAJARAHALLI
BENGALURU - 560 062
DATE OF ADMISSION: 25-06-2015
CET NO. CU360.
- 76 . MS. DIVYA H.S.,
AGED ABOUT 24 YEARS
D/O SWAMY H.D.,
ADDRESS: 5088, DIVYADARSHANNILAYA
4TH STAGE, 2ND PHASE, VIJAYANAGAR
MYSORE - 570 030.
DATE OF ADMISSION: 29-06-2015

CET NO. UG001.

- 77 . MS. U.KAVYA
AGED ABOUT 23 YEARS
D/O G.UDHAYA KUMAR
ADDRESS: NO. 1459/1
SRIRAMPURA 2ND STAGE
NEAR NAIDU STORES
MYSORE - 560 023.
DATE OF ADMISSION: 25-06-2015
CET NO. UM538.
- 78 . MS. SHIVANI PRUTHVI
AGED ABOUT 23 YEARS
D/O B.S.PRUTHVI
ADDRESS: 1031, PRAGATI NEAR
2ND BUS STOP VIDYANAGAR
DAVANAGERE - 577 004.
DATE OF ADMISSION: 29-06-2015
CET NO. LA045.
- 79 . MR. NITISH J.,
AGED ABOUT 24 YEARS
S/O JAYANTH K.,
ADDRESS: 2188, JANANI, 17TH CROSS
SHANKAR CHETTY BUILDINGS
MGS ROAD, NANJANGUD
MYSORE - 571 301.
DATE OF ADMISSION: 20-07-2015
CET NO. UN457.
- 80 . MR. GURUKEERTHI G.D.,
AGED ABOUT 23 YEARS
S/O DODDAVEERAIHAH G.,
ADDRESS: HOUSE NO. 9, GOPIKUNTE
BARAGURU POST, SIRA TALUK
TUMAKURU DISTRICT - 572 113.
DATE OF ADMISSION: 25-06-2015

CET NO. YK001.

- 81 . MS. PRIYANKA J.,
AGED ABOUT 23 YEARS
D/O JAGANATH
ADDRESS: NO. C 17, STAFF QUARTERS
NAL CAMPUS KODIHALLI
BENGALURU - 560 017.
DATE OF ADMISSION: 24-07-2015
CET NO. CQ 131.
- 82 . MR. RAVIPRASAD M.S.,
AGED ABOUT 24 YEARS
S/O C.MUNINARAYANAPPA
ADDRESS: P.RANGANATHAPURA
VIJAYAPURA HOBLI, DEVANAHALLI TALUK
BENGALURU RURAL DISTRICT - 562 135.
DATE OF ADMISSION: 16-07-2015.
CET NO. EB241.
- 83 . MS. KAVYA R.,
AGED ABOUT 24 YEARS
D/O RAJANNA G.,
ADDRESS: HOUSE NO. 20
OPPOSITE THE PRESIDENCY PUBLIC SCHOOL
KALLUKOTE 2ND STAGE
JYOTHI NAGAR, AMARAPURA ROAD
SIRA TALUK, SIRA
TUMKUR DISTRICT - 572 137.
DATE OF ADMISSION: 25-06-2015
CET NO. MC049.
- 84 . MS. SAHANA H.S.,
AGED ABOUT 23 YEARS
D/O SHYAM SUNDER H.S.,
ADDRESS: NO. 462, MANGALA
7TH CROSS, 7TH MAIN
ST BEB, KORAMANGALA 4TH BLOCK

BENGALURU - 560 034
DATE OF ADMISSION: 20-07-2015
CET NO. CW306.

- 85 . MS. RUSHITHA G.V.,
AGED ABOUT 23 YEARS
D/O GANGULAPPA V.,
ADDRESS: WARD NO. 23, HOUSE NO. 46
NEAR NEW HORIZON SCHOOL
BAGEPALLI - 561 207
DATE OF ADMISSION: 25-06-2015
CET NO. MR243.
- 86 . MS. VAISHNAVI
AGED ABOUT 23 YEARS
D/O SATHISH KUMAR B.,
ADDRESS: NO. 29, BLOCK 24
SBM LAYOUT, SHRIRAMPURA
2ND STAGE, MYSURU - 570 023
DATE OF ADMISSION: 25-06-2015
CET NO. UE097.
- 87 . MS. CHARITHRYA M.R.,
AGED ABOUT 25 YEARS
D/O RAMAKRISHNE GOWDA M.B.,
ADDRESS: SALIGRAMA, K.R.NAGAR TALUK
MYSURU DISTRICT
DATE OF ADMISSION: 25-06-2015
CET NO. BZ265.
- 88 . MR. GOURAV SINGHI
AGED ABOUT 24 YEARS
S/O CHAMPAT SINGHI
ADDRESS: G.3, SAMBHAV RESIDENCY
ARIHANT NAGAR, 2ND CROSS
KUSUGAL ROAD, KESHWAPUR
HUBBALLI - 580 023
DATE OF ADMISSION: 25-06-2015

CET NO. NM226.

- 89 . MS. A.POORANI
AGED ABOUT 22 YEARS
D/O R.ARUMUGAM
ADDRESS: F031, FORTUNA CENTER PARK
RAJIV GANDHI NAGAR, KODIGEHALLI
BENGALURU - 560 097
DATE OF ADMISSION: 25-06-2015
CET NO. BH001.
- 90 . MR. SHIVARAJU A.S.,
AGED ABOUT 25 YEARS
S/O SRIRAMALU
ADDRESS: AMMAGARIPET
JINKALAVARIPALLI POST
SRINIVASAPURA TALUK
KOLAR - 563 134
DATE OF ADMISSION: 24-07-2015
CET NO. BD505.
- 91 . MS. VISHAKHA MODAK
AGED ABOUT 24 YEARS
D/O SHEILESH MODAK
ADDRESS: A.301, RENAISSANCE BRINDAVAN
APARTMENT, 13TH UTTARAHALLI MAIN ROAD
BENGALURU - 560 061.
CET NO. CZ504.
DATE OF ADMISSION: 25.06.2015
- 92 . MS. NEHAL ATHREYI R.,
AGED ABOUT 24 YEARS
D/O. RAMESH N.,
ADDRESS: A305, GOPALAN RESIDENCY
APARTMENTS,
TELECOM LAYOUT, BHUVANESHWARI NAGAR
BENGALURU - 560 023
DATE OF ADMISSION: 25-06-2015

CET NO. AS256.

- 93 . MR. VINAYAK S.SHIMBI
AGED ABOUT 24 YEARS
S/O SHRISHAIL SHIMBI
ADDRESS: 68, 2ND CROSS
PATIL LAYOUT, LINGARAJ NAGAR NORTH
HUBLI - 580 031
DATE OF ADMISSION: 25-06-2015
CET NO. ME318.
- 94 . MS. VIJAYALAXMI YERESHEEME
AGED ABOUT 24 YEARS
D/O GUDDAPPA
ADDRESS: VIDYA NAGARA
6TH CROSS, SHRINIVASA NILAYA
RANIBENNUR - 581 115.
DATE OF ADMISSION: 25-6-2015
CET NO.NX500
- 95 . MS. AMEENA SIDDIQHA
AGED ABOUT 25 YEARS
D/O SYED IQHBAL
ADDRESS: OPPOSITE TO RMC MARKET
NEAR KABINI COLONY
KEMPANPALYA ROAD
KOLLEGALA - 571 440.
CET NO.UY270.
DATE OF ADMISSION: 25-6-2015
- 96 . MS. SREENITHYA T.,
AGED ABOUT 23 YEARS
D/O G.MELAREDDY
ADDRESS: 21/341, WARD 21
BASAVESHWAR COLONY
SANNAPURA, KAMPLI
BELLARY DISTRICT
KARNATAKA - 583 132.

DATE OF ADMISSION: 25-06-2015
CET NO.GG043.

- 97 . MR. PURVIK B.,
AGED ABOUT 24 YEARS
S/O K.BYRALINGE GOWDA
ADDRESS: 81, 1ST BLOCK, 2ND STAGE
NAGARABHAVI RING ROAD
NEAR BDA COMPLEX
BENGALURU - 560 072.
DATE OF ADMISSION: 20-7-2015
CET NO.MH168.
- 98 . MS. SWATHI KAMAL S.,
AGED ABOUT 24 YEARS
D/O M.R.SREENIVAS
ADDRESS: 2997/1 KALIDASA ROAD
VV MOHALLA, MYSORE
KARNATAKA - 570 002.
DATE OF ADMISSION: 25-6-2015
CET NO.UP023.
- 99 . MS. YASHIKA GUPTA
AGED ABOUT 24 YEARS
D/O TARUN KUMAR GUPTA
ADDRESS: 28 WELLINGTON STREET
PANCHAVATI APARTMENT
1ST FLOOR, FLAT NO.6
RICHMOND TOWN,
BENGALURU - 560 025.
CET NO. BU430.
DATE OF ADMISSION: 25-6-2015
- 100 . MS. YENUGONDA NAMRATHA
AGED ABOUT 23 YEARS
D/O RAJAGOPAL NAIDU Y.,
ADDRESS: 1/A, 1ST STAGE, 7TH MAIN
BRINDAVAN EXTENSION

NEAR PRIYADARSHINI HOSPITAL
MYSORE - 570 020
DATE OF ADMISSION: 25-06-2015
CET NO.MN798.

- 101 . MR. SHAMANTHA M.,
AGED ABOUT 24 YEARS
FATHER NAME: MAHADEVIAIAH M.N.,
ADDRESS: 14, NAJUNDESHWARA NILAYA
EKAMBARAM LAYOUT
BEHIND BCM HOSTEL, NEAR KHB COLONY
NANJANGUD, KARNATAKA - 571 301
DATE OF ADMISSION: 25-06-2015
CET NO.UJ157.
- 102 . MS. VAISHNAVI YEERASAM
AGED ABOUT 23 YEARS
D/O VENKATARAMANA YEERASAM
ADDRESS: FLAT NO.RC 502
PURVA RIVIERA APARTMENTS
MARATHAHALLI, BENGALURU - 560 037
DATE OF ADMISSION: 25-06-2015
CET NO. CN067.
- 103 . MR. ANAND VAJJARAMATTI
AGED ABOUT 24 YEARS
S/O RAMAPPA
ADDRESS: KUMBAR GALLI
WARD NO.4, MUDHOL POST TALUK
BAGALKOT - 587 313
DATE OF ADMISSION: 29-06-2015
CET NO. MN736
- 104 . MR. AKSHAY S.G.,
AGED ABOUT 23 YEARS
S/O S.GURUBASAVARAJ
ADDRESS: 29TH WARD
M.J.NAGAR 10TH CROSS

GOVT. HOSPITAL ROAD
HOSAPETE - 583 201
DATE OF ADMISSION: 30-06-2015
CET NO.MK314.

- 105 . SHRINIDHI H.C.,
AGED ABOUT 24 YEARS
FATHER NAME: CHANDRASHEKAR H.V.,
ADDRESS: KEREMANE
NEAR UNION BANK OF INDIA
7TH HOSKOTE VILLAGE AND POST
SOMWARPET TALUK
KODAGU - 571 237.
DATE OF ADMISSION: 25-06-2015
CET NO.MP150.
- 106 . V.SHREERAMA
AGED ABOUT 23 YEARS
FATHER NAME: VISHWESHWARA UDUPA
ADDRESS HANIYA POST, HOSANAGAR TQ
SHIMOGA - 577 418
DATE OF JOINING. 29-06-2015
CET NO. MU151
- 107 . MR. V.HARISH
AGED ABOUT 24 YEARS
S/O K.S.VENKETACHALAM
ADDRESS: 1230, 8TH 'A' CROSS
GIRI NAGAR, 2ND PHASE
GIRINAGAR, BENGALURU - 560 085.
DATE OF ADMISSION: 20-07-2015
CET NO. CY334.
- 108 . MR. TUBAH IQBAL
S/O B.K.MOHAMMED IQBAL
ADDRESS: 1:4:40B,
GUNDIBAIL CROSS ROAD
POST KUNJIBETTU

UDUPI - 574 118.
CET NO. WD169.

- 109 . MR. TARUN V.,
AGED ABOUT 24 YEARS
FATHERS NAME: VENKATARAMAIAH G.,
ADDRESS: 125 BUEHCS LAYOUT
BEHIND KARIYAPPA PARK
BEML 5TH STAGE, R.R NAGAR
BENGALURU - 560 098
DATE OF ADMISSION: 25-06-2015
CET NO. CA029.
- 110 . MR. SWAPNIL SUNIL SURPUR
AGED ABOUT 24 YEARS
S/O SUNIL S.SURPUR
ADDRESS: D.1808
ARS VAISHNAVI GARDENIA
JALAHALLI, T.DASARAHALLI
BENGALURU - 560 057
DATE OF ADMISSION: 22-07-2015
CET NO. AK560.
- 111 . MR. SURAJ N.,
AGED ABOUT 24 YEARS
S/O NAGARAJU T.,
ADDRESS: 1940/4, SUVARNA SIRI
8TH CROSS, S.S.LAYOUT A BLOCK
DAVANAGERE - 577 002.
DATE OF ADMISSION: 25-06-2015
CET NO. LJ430.
- 112 . SHUBHAVANI B.R.,
AGED ABOUT 23 YEARS
FATHER NAME: RAMAIAH
ADDRESS: 40, SHOBHA NILAYA
BESAGARAHALLI, MADDUR TALUK
MANDYA DISTRICT - 571 428.

DATE OF ADMISSION: 26-09-2015
CET NO. MM612.

- 113 . MR. SHASHANK S.BELAGALI
AGED ABOUT 24 YEARS
S/O S.L.BELAGALI
ADDRESS: MIG 39,
BISILUMARAMMA TEMPLE ROAD
GANGOTHRI LAYOUT
MYSORE - 570 009.
DATE OF ADMISSION: 30-06-2015
CET NO. UF509.
- 114 . SANJANA HEBBAR
AGED ABOUT 24 YEARS
FATHER NAME: SRIDHAR N.,
ADDRESS: NO.569, 2ND CROSS
5TH MAIN, HANUMANTHANAGAR
BENGALURU - 560 019
DATE OF ADMISSION: 25-06-2015
CET NO. CS344.
- 115 . MR. SAGAR
AGED ABOUT 23 YEARS
S/O NAGANNAGOUDA PATIL
ADDRESS: NO. 10.2/107 'B'
SHIVAGANGA NILAYA
SANGAMESHWAR COLONY
KALABURGI - 585 103.
DATE OF ADMISSION: 08-07-2021
CET NO. PG011.
- 116 . RIYA SAHU
AGED ABOUT 24 YEARS
FATHER NAME: RAJESH KUMAR SAHU
ADDRESS: NO. 3/9, RAMAIAH STREET
VANNARPET, VIVEKNAGAR
BENGALURU - 560 047.

DATE OF ADMISSION: 08-07-2015
CET NO. BJ319.

- 117 . MR. RAJASHEKAR V.,
AGED ABOUT 23 YEARS
S/O P.VENKATESH
ADDRESS: LIG:644/A,
KHB COLONY, KALLAHALLI,
2ND STAGE, VINOBANAGAR
SHIMOGA - 577 204.
DATE OF ADMISSION: 25-06-2015
CET NO. XD368.
- 118 . MR. PREETHAM S.M.,
AGED ABOUT 24 YEARS,
S/O MALLIKARJUNA S.A.,
ADDRESS: HOUSE NO.S:03/01
JSWSI TOWNSHIP
VIDYANAGAR TORANGALLU
BALLARI - 583 275
DATE OF ADMISSION: 20-07-2015
CET NO. ME174.
- 119 . MR. PRAJWAL ATREYA CHANDRASHEKAR
AGED ABOUT 25 YEARS
S/O H.CHANDRASHEKAR
ADDRESS: 231, B4, GHATAPRABHA
NGV, KORMANGALA
BENGALURU - 560 047
DATE OF ADMISSION: 25-05-2021
CET NO. AJ274.
- 120 . MS. P.BINDHU
AGED ABOUT 24 YEARS
D/O K.B.PRABHAKAR
ADDRESS: G10 DAMDEN SIENNA APARTMENTS,
ITPL MAIN ROAD, KUNDALAHALLI
BENGALURU - 560 037.

DATE OF ADMISSION: 25-06-2015
CET NO. CX261

- 121 . MR. NANDAN PRASAD
AGED ABOUT 24 YEARS
S/O PRASAD B.,
ADDRESS: NO. 187, SHRI MYLARA
LINGESHWARA NILAYA
K.GOLLAHALLI, KENGERI HOBLI
BENGALURU SOUTH TALUK
BENGALURU - 560 060
CET NO. BQ012.
- 122 . MS. MYTHRI B.S.,
AGED ABOUT 23 YEARS
D/O SRINIVAS B.V.,
ADDRESS: 1381/2, K1 MATHRU KRUPA
B.B.LAYA, K.R.MOHALLA
MYSORE - 570 004
DATE OF ADMISSION: 25-06-2015
CET NO. UK 467.
- 123 . MS. MONISHA G.A.,
AGED ABOUT 24 YEARS
D/O G.ASWATH NARAYAN BABU
ADDRESS: NO. 70, ASWATHA NILAYA
3RD CROSS, KARNATAKA LAYOUT
KURUBARAHALLI
BENGALURU - 560 086
DATE OF ADMISSION: 25-06-2015
CET NO. CD113.
- 124 . MR. MANOJ KOUNDINYA U.H.,
AGED ABOUT 24 YEARS
S/O NARASIMHA RAO U.H.,
ADDRESS: NO. 36, 2ND CROSS
34TH MAIN, VYSHYA BANK LAYOUT
J.P.NAGAR, 1ST PHASE

BENGALURU - 560 078
DATE OF ADMISSION: 25-06-2015
CET NO. CC090.

125 . MAANISHA P.,
AGED ABOUT 24 YEARS
FATHER NAME: A.PANCHASHEELAN
ADDRESS: NO 256, 2ND 'E' CROSS,
3RD STAGE, 3RD BLOCK BASAVESHWARANAGAR
BENGALURU - 560 079
DATE OF ADMISSION: 26-09-2015
CET NO. CL511.

126 . MR. K.SAI PRITAM
AGED ABOUT 24 YEARS
S/O K.V.S.REDDY
ADDRESS: NO. 7, 3RD MAIN
ASHWINI LAYOUT
EJIPURA, KORAMANGALA
BENGALURU - 560 047
DATE OF ADMISSION: 08-07-2015
CET NO. AR212.

127 . MR. GOKUL S.L.,
AGED ABOUT 24 YEARS
S/O LOKAPPA S.,
ADDRESS: 43, 5TH CROSS
H.P.NAGAR, BEML NAGAR KGF
BANGARPET, KOLAR
KARNATAKA - 563 115
DATE OF ADMISSION: 25-06-2015
CET NO: GDO16.

128 . MS. G.RACHITHA
AGED ABOUT 23 YEARS
D/O G.CHANDRA SEKHAR
ADDRESS: 22-A, B.S.COMPOUND
GANDINAGAR

BELLARY - 583 103
DATE OF ADMISSION: 23-07-2015
CET NO. MDO85

- 129 . MS. DISHA CHAKRAVARTHY
AGED ABOUT 23 YEARS
D/O H.S.PARTHASARATHY
ADDRESS: NO. 48, 2ND FLOOR
5TH CROSS , CHURCH ROAD
NEW THIPPASANDRA
BENGALURU - 562 131
DATE OF ADMISSION: 25-06-2015
CET NO. CC 350.
- 130 . MR. BASAVARAJ K.HAWALDAR
AGED ABOUT 24 YEARS
S/O KARASIDDAPPA B.HAWALDAR
ADDRESS: BASAVA TEJA NILAYA
OPP. SARVODAYA SCHOOL
ADARSHA COLONY, SINDHANUR
RAICHUR, KARNATAKA - 584 128
DATE OF ADMISSION: 25-06-2015
CET NO.RF128.
- 131 . ANUSHA SAJJAN
AGED ABOUT 23 YEARS
FATHER NAME: CHANNABASAVARAJ
ADDRESS: PLOT 3/46B, MAYUR PARADISE
GANDHI NAGAR, DHARWAD - 580 004.
DATE OF ADMISSION: 25-06-2015
CET NO.MD373.
- 132 . ANUSHA KOTA
AGED ABOUT 24 YEARS
FATHER NAME: SRINIVAS KOTA
ADDRESS: 490, 1ST FLOOR, 6TH CORSS
KPCL LAYOUT, KASAVANAHALLI
OFF SARJAPUR ROAD

BENGALURU - 560 035
DATE OF ADMISSION: 25-06-2015
CET NO.CC706.

- 133 . NEMI CHANDRA J.,
AGED ABOUT 23 YEARS
S/O JEEVAN PRAKASH K.C.,
ADDRESS: C/O AXISMEGGA COMPUTERS
INFRONT BEO OFFICE, SIRA TOWN
SIRA - 572 137, TUMKUR (D)
ADMISSION DATE: 25-06-2015
CET NUMBER - YF211.
- 134 . HARISH KUMAR A.,
AGED ABOUT 23 YEARS
S/O RAJAGOPALAN A.,
ADDRESS: HARINILAYAM
J.H.COLONY ROAD
NILESHWAR, KASARGOD
KERALA - 671 314
ADMISSION DATE: 25-06-2015
CET NUMBER - CA244.
- 135 . SANJANA K.A.,
AGED ABOUT 23 YEARS
D/O ANAND BABU K.R.,
ADDRESS: KHB COLONY
VIDYANAGAR, KUNIGAL
TUMKUR DISTRICT
KARNATAKA - 572 130
ADMISSION DATE: 25-06-2015
CET NUMBER - YD062.
- 136 . GOPIKA MENON B.,
AGED ABOUT 23 YEARS
D/O BABU N.,
ADDRESS: AMBADY KOZHUR
PARAPPUR P.O, KOTTAKKAL

MALAPPURAM DISTRICT
KERALA - 676 503
ADMISSION DATE: 20-07-2015
CET NUMBER - CM151.

137 . PAVAN R.,
AGED ABOUT 23 YEARS
S/O RAMESH B.N.,
ADDRESS: NO.106, BOMMASETTIHALLI,
RAMAPURA POST, GAURIBIDANUR TALUK
CHIKKABALLAPUR - 561 210.
ADMISSION DATE: 25-06-2015
CET NUMBER - MB296.

138 . ALAKA M.R.,
AGED ABOUT 24 YEARS
D/O RAMAKRISHNAN M.,
ADDRESS: 123, 'KRISHNA'
3RD MAIN, AG'S COLONY
ANANDANAGAR
BENGALURU - 560 024.
ADMISSION DATE
AS PER KEA ORDER: 25-06-2015
CET NO.BE128.

139 . SHOAB SYED MOHAMMED SHAFY
AGED ABOUT 23 YEARS
S/O SYED MOHAMMED SHAFY
ADDRESS: THUMBAY MANOR 202
HIGHLAND ROAD, KANKANADY,
MANGALORE - 575 002
CET NO.MD081
ADMISSION DATE: 28-06-2015

140 . PRAHLAD D.BHAT
AGED ABOUT 25 YEARS
FATHER NAME: DATTATREYA BHAT
ADDRESS: 934/A JANASALE POST

SALKOD HONNAVARA TALUK
UTTARA KANNADA DISTRICT - 581 334
DATE OF ADMISSION: 25-06-2015
CET NO.ZH341.

- 141 . KAVYA L.,
AGED ABOUT 24 YEARS
D/O LAKSHMINARAYANA REDDY
ADDRESS: KADEHALLI
HAMPASANDRA POST
GUDIBANDE TALUK
CHIKKABALLAPUR
KARNATAKA - 561 209
DATE OF ADMISSION: 30-09-2015
CET NUMBER - BL331.
- 142 . NEHA
AGED ABOUT 23 YEARS
FATHER'S NAME: SATISH HANDE
ADDRESS: NO. 7, 6TH MAIN, 6TH CROSS
'M' BLOCK KUVEMPUNAGAR
MYSURU - 570 023
DATE OF ADMISSION: 23-07-2015
CET NUMBER - UH430
- 143 . RAKSHIT RAJENDRA NAYAK
AGED ABOUT 23 YEARS
FATHER'S NAME: RAJENDRA NAYAK
ADDRESS: KAJUWADA, SADASHIVGAD
KARWAR - 581 352
DATE OF ADMISSION: 26-09-2015
CET NO. ZA290.
- 144 . MEGHA V.S.,
AGED ABOUT 24 YEARS
FATHER'S NAME: SIDDARAMESWARA V.D.,
ADDRESS: NO.25, MARUTHI NILAYA
1ST STAGE, 2ND CROSS

SANJEEVINI NAGAR
NEELAKANTESHWARA TEMPLE ROAD
HEGGANAHALLI CROSS
BENGALURU - 560 091
ADMISSION DATE: 25-06-2015
CET NO. AJ200.

- 145 . RACHITA BALAKRISHNA
AGED ABOUT 24 YEARS
FATHER'S NAME: M.S.BALAKRISHNA
ADDRESS: NO.290, B-24 (NILGIRI BUILDING)
IIT BOMBAY, IIT POWAI
MUMBAI - 400 076
MAHARASHTRA
ADMISSION DATE: 30-09-2015
CET NO. UD453.
- 146 . JAYADEV BALIHALLIMATH
AGED ABOUT 24 YEARS
FATHER'S NAME: CHANNAVEERSWAMY
BALIHALLIMATH
ADDRESS: K.C.RANI ROAD
GADAG -582 101.
DATE OF ADMISSION: 06-10-2015
CET NO.MB201.
- 147 . VIDULA S.,
AGED ABOUT 23 YEARS
FATHER'S NAME: SRINATHAN N.,
ADDRESS: NO.290/5, 34TH 'A' CROSS
9TH MAIN, 4TH BLOCK JAYANAGAR
BENGALURU - 560 011
DATE OF ADMISSION: 14-07-2015
CET NO.DD588.
- 148 . TEJAS R.,
AGED ABOUT 24 YEARS
FATHER'S NAME: C.RAJANNA

ADDRESS: 09, 12TH BLOCK
MANASI NAGARA
HANCHYA EXTENSION
MYSORE -570 029
ADMISSION DATE: 25-06-2015
CET NO. MG304.

- 149 . DARSHAN S.M.,
AGED ABOUT 23 YEARS
FATHER: M.MARULAPPA
ADDRESS: SOMANAHALLI POST
SINGITAGERE HOBLI, KADUR TALUK
CHIKKAMAGALURU DISTRICT - 577 548.
ADMISSION DATE: 25-06-2015
CET NO. MH362.
- 150 . SHREYAS R.BHAT
AGED ABOUT 23 YEARS
FATHER: RAGHAVENDRA BHAT
ADDRESS: 'ANANTHA', 2ND CROSS
CHANNAPPA LAYOUT,
SHIMOGA -577 201.
ADMISSION DATE: 25-06-2015
CET NO.XA479.
- 151 . FAKRUDDEN AHAMED SHAROOK K.S.,
AGED ABOUT 25 YEARS
FATHER'S NAME: MOIDEEN KUTTY SHAREEF
ADDRESS: KATTADAMOOLE HOUSE
PALLATHADKA P.O,
KASARAGOD DISTRICT - 671 551.
ADMISSIONS DATE: 22-07-2015
CET NO. AN348.
- 152 . MOHAMMED FASAHATULLA KHAN
AGED ABOUT 24 YEARS
FATHER'S NAME: MOHAMMED NAIMATULLA KHAN
ADDRESS: H. NO.2-907/121/1/9

UMRAH COLONY, GDA LAYOUT
SANGTRASWADI
KALABURAGI - 585 102
DATE OF ADMISSION: 30-06-2015
CET NO.PB097.

153 . SHASHIDHAR M.C.,
AGED ABOUT 24 YEARS
FATHER'S NAME: CHANDRASHEKAR
ADDRESS: NO.1, SLV KRUPA, C/O RAMAPPA
MARUTHI NAGAR, SRINIVASAPURA,
KOLAR - 563 135
DATE OF ADMISSION: 01-07-2015
CET NO.SR242.

154 . ASHWINI
AGED ABOUT 24 YEARS
FATHER'S NAME: HANUMANTHAPPA SAJJAN
ADDRESS: D/O HANUMANTHAPPA SAJJAN
4TH WARD, NEAR SHANKARADEVARA
MATHA BALAGANUR, SINDHANOOR TQ,
RAICHUR - 584 138
DATE OF ADMISSION: 30-06-2015
CET NUMBER: MP313.

...PETITIONERS

(BY SMT. SHREYA S.KUMAR, ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND FAMILY WELFARE
VIKASA SOUDHA, BENGALURU - 560 001.
- 2 . COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
GOVERNMENT OF KARNATAKA

REP. BY ITS COMMISSIONER
HAVING OFFICE AT AROGYA SOUDHA
MAGADI ROAD
BENGALURU - 560 023.

- 3 . THE DIRECTORATE FO MEDICAL EDUCATION
REP. BY ITS DIRECTOR
HAVING OFFICE AT ANANDA RAO CIRCLE
BENGALURU - 560 009.
- 4 . THE RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCES,
REP. BY ITS REGISTRAR
HAVING OFFICE AT 4TH 'T' BLOCK
JAYANAGAR
BENGALURU - 560 041
- 5 . KARNATAKA MEDICAL COUNCIL
REP. BY ITS REGISTRAR
HAVING OFFICE AT NO.70
2ND FLOOR, VAIDYAKEEYA BHAVANA
K.R.ROAD, HB SAMAJA ROAD CORNER
BASAVANAGUDI
BENGALURU - 560 004.

...RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W
SMT. PRAMODHINI KISHAN, AGA FOR R-1 TO R-3;
SRI M.S.DEVARAJU, ADVOCATE FOR R-4;
SMT. RATNA N SHIVAYOGIMATH, ADVOCATE FOR R-5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE
NOTIFICATION DATED 08.06.2021 ISSUED BY R2 PRODUCED AT
ANNEXURE-A AND SET ASIDE THE IMPUGNED CORRIGENDUM
DATED 17.07.2021 ISSUED BY R2 AT ANNEXURE-B AND ETC.,

IN WRIT PETITION No.2137 OF 2022

BETWEEN:

- 1 . MR.TANAY APPACHU SHASTRY
AGED ABOUT 24 YEARS
S/O K.R.NARASIMHA
ADDRESS NO.108-A, 16TH B MAIN
4TH BLOCK, KORAMANGALA
BENGALURU – 560 034
KEA ADMISSION NUMBER: 1530008171
CET NUMBER: BS416
DATE OF ADMISSION: 25-06-2015.

- 2 . MR.ABHILASHA S.,
AGED ABOUT 22 YEARS
S/O SIDDARAJU
ADDRESS 168/1, 9TH MAIN ROAD
4TH BLOCK, NANDINI LAYOUT
BENGALURU – 96
CET NO: CS222
DATE OF ADMISSION: 25-06-2015.

- 3 . MR.ADITYA JAIDKA
AGED ABOUT 23 YEARS
S/O NAVEEN JAIDKA
ADDRESS: SPENCER HOUSE, FLAT NO.1
GROUND FLOOR, 82, COLES ROAD
FRAZER TOWN
BENGALURU – 560 005
CET NO: BP022
DATE OF ADMISSION: 25-06-2015.

- 4 . MR.ADVAITH NAIR
AGED ABOUT 24 YEARS
S/O SANJIV NAIR
ADDRESS 35, 4TH MAIN ROAD
BETWEEN 13TH AND 15TH CROSS

MALLESHWARAM
BENGALURU – 560 003
CET NO.: AF028
DATE OF ADMISSION: 25-06-2015.

- 5 . MR.AKASH R.,
AGED ABOUT 24 YEARS
S/O RAMESH P.A.,
ADDRESS NO.58
DUO RESIDENCY
JAKKUR PLANTATION
YELAHANKA, BENGALURU
CET NO: BN236
DATE OF ADMISSION: 25-06-2015.
- 6 . MS.C.S.AMRUTHA VARSHINI
AGED ABOUT 23 YEARS
D/O M.CHELLANASIVYAM
ADDRESS: NO. 14, 5TH MAIN
K.R.GARDENS
BENGALURU – 560 017
CET NO: BF029
DATE OF ADMISSION: 25-06-2015.
- 7 . MS. DIYA SARAH JACOB
AGED ABOUT 23 YEARS
D/O JACOB J.,
ADDRESS: 20/4, ANJANAYA TEMPLE STREET
OFF PALMGROVE ROAD
AUSTIN TOWN
BENGALURU – 560 047
CET NO: DA187
DATE OF ADMISSION: 25-06-2015.
- 8 . MS.R.PRIYA
AGED ABOUT 24 YEARS
D/O N.RAVI KEA
ADDRESS: 668, SAPTHAGIRI LAYOUT

BELATHUR COLONY
GOVERNMENT COLLEGE MAIN ROAD
KADUGODI – 560 067
CET NO: AR037
DATE OF ADMISSION: 25-06-2015.

- 9 . MR.HITESH REDDY H.D.,
AGED ABOUT 24 YEARS
S/O H.N.DASHARATHA KUMAR
ADDRESS: NO.12
SHRI BASAVESHWARA NILAYA
HALASAHALLI, VARTHUR
BENGALURU – 560 087
CET NO: CH393
DATE OF ADMISSION: 25-06-2015.
- 10 . MS.MEGHANA P.,
AGED ABOUT 23 YEARS
D/O PANCHASEELAN A.,
ADDRESS: NO.26 AND 27
SAI NIVAS, 2ND CROSS
KODANDARAMA REDDY LAYOUT
RAMAMURTHY NAGAR
BENGALURU – 560 016
KARNATAKA,
CET NUMBER: AS199
DATE OF ADMISSION: 25-06-2015.
- 11 . MS.NAVANITHA SHAINÉ
AGED ABOUT 24 YEARS
D/O SHAINÉ RAVINDRANATHAN
ADDRESS: G01, PRANAVAH IRIS
GREEN GLEN LAYOUT, BELLANDUR
BENGALURU – 560 103
CET NO: DB330
DATE OF ADMISSION: 25-06-2015.
- 12 . MS. ROSHNI RAMESH KESTUR

AGED ABOUT 23 YEARS
D/O RAMESH NAGARAJA RAO KESTUR
ADDRESS: 1056, 27TH MAIN,
9TH BLOCK, JAYANAGAR
BENGALURU – 560 069.
CET NO: AK533
DATE OF ADMISSION: 16-07-2015.

- 13 . MS. SAGARIKA N.SURESH
AGED ABOUT 24 YEARS
D/O SURESH N.R.,
ADDRESS: NO.240, 11TH CROSS
8TH MAIN, VIDYAGIRI LAYOUT
NAGARBHAVI 1ST STAGE
BENGALURU – 560 072
CET NUMBER: AU174
DATE OF ADMISSION: 20-07-2015.
- 14 . MS.SAYONI CHOUDHURY
AGED ABOUT 26 YEARS
ADDRESS -E/G/11, PLATINUM CITY APTS,
HMT MAIN ROAD, NEAR CMTI
YESHWANTHPURA, BENGALURU – 560 022
CET NO: AL572
DATE OF ADMISSION: 25-06-2015.
- 15 . MS. NUPUR VAISH
AGED ABOUT 24 YEARS
ADDRESS: 1225, 'D' BLOCK
AECS LAYOUT, KUNDALAHALLI
BENGALURU – 560 037
CET NO: CQ544
DATE OF ADMISSION: 25-06-2015.
- 16 . MS. PRARTHANA RAGHURAM
AGED ABOUT 23 YEARS
D/O N.RAGHURAM
ADDRESS: 431/C, 5TH CROSS

6TH STAGE, BTM LAYOUT, B.G.ROAD
HULIMAVU
BENGALURU – 560 076
CET NO: AC310
DATE OF ADMISSION: 23-07-2015.

- 17 . MS. VINUTHA V.,
AGED ABOUT 23 YEARS
D/O S.N.VIJAYA
ADDRESS NO.36/1, 12TH CROSS
MANJUNATHA LAYOUT
BASAVANAPURA MAIN ROAD
K.R.PURAM,
BENGALURU – 560 036.
- 18 . MS. ANKITA S.JAIN
AGED ABOUT 23 YEARS
D/O SUSHIL KUMAR
ADDRESS: 61, NAGRATHPET
APPURYAPPA LANE
BENGALURU – 560 002
CET NO: AB218
DATE OF ADMISSION: 25-06-2015.
- 19 . MS. APOORVA RAJASHEKARGOUDA PATIL
AGED ABOUT 23 YEARS
D/O RAJASHEKARGOUDA PATIL
ADDRESS: PRINCIPAL DISTRICT
AND SESSIONS JUDGE, GADAG-BETIGERI
KARNATAKA
CET NO: ML392
DATE OF ADMISSION: 25-06-2015.
- 20 . MS. ASHWINI KASHI
AGED ABOUT 23 YEARS
D/O K.GURURAJ
ADDRESS: 3, 8TH MAIN ROAD
OFFICERS COLONY

BASAWESHWARA NAGAR
BENGALURU - 79
CET NUMBER: AQ428
DATE OF ADMISSION: 25-06-2015.

- 21 . MS. AKSHATA C.M.,
AGED ABOUT 23 YEARS
D/O MANJUNATHA C.R.,
ADDRESS: 596/A 15
PATANJALI NILAYA
1ST MAIN, 1ST CROSS
SHIVKUMAR SWAMY LAYOUT
HADADI ROAD, DAVANAGERE
CET NO.LK080
DATE OF ADMISSION: 25-06-2015.
- 22 . MS.CHANDRIKA SANDU
AGED ABOUT 23 YEARS
D/O VENKATA THIMMAIAH SANDU
ADDRESS: A114, ASSETZ MARQ APARTMENTS
WHITEFIELD, HOSAKOTE ROAD
OPPOSITE TO M.K.RETAIL
KANNAMANGALA
BENGALURU - 560 067
CET NO: AZ081
DATE OF ADMISSION: 20-07-2015.
- 23 . MR. DARSHAN A.N.,
AGED ABOUT 24 YEARS
S/O ANAND NAIK
ADDRESS: DARSHAN A.N.,
VISHAL NAGAR, SIRSI
UTTARA KANNADA - 581 402
CET NO: ZF075
DATE OF ADMISSION: 23-07-2015.
- 24 . MS. ANANTINI PAL
AGED ABOUT 23 YEARS

D/O PRAMOD KUMAR PAL
ADDRESS: NO.17, 7TH MAIN
4TH BLOCK, JAYANAGAR
BENGALURU
CET NUMBER: CC234
DATE OF ADMISSION: 25/6/2015.

- 25 . DR. AMULYA MURTHY
AGED ABOUT 24 YEARS
ADDRESS: FLAT NUMBER 010
SOWMYA SPRINGS APARTMENTS
DEWAN MADHAVA RAO ROAD
BASAVANGUDI
BENGALURU – 560 004
CET NUMBER: AK676
DATE OF ADMISSION: 24/6/2015.
- 26 . MS. EHIKA SHARMA
AGED ABOUT 23 YEARS
D/O RAJAT SHARMA
ADDRESS: 233-C
SUNRISE APARTMENTS
PLOT NO. GH-7, SECTOR 45
FARIDABAD – 121 001
CET NUMBER: BQ383
DATE OF ADMISSION: 20-07-2015.
- 27 . MS. ESHITA SINGH
AGED ABOUT 24 YEARS
D/O RAJENDER SINGH
ADDRESS: C93, AWHO
VED VIHAR, TRIMULGHERRY
SECUNDURABAD – 500 015
CET NUMBER: CG543
DATE OF ADMISSION: 25-6-2015.
- 28 . MR.GIRISH R.BHAGWAT
AGED ABOUT 23 YEARS

S/O RAJARAM BHAGWAT
ADDRESS:MEGHASHREE SHANTI NAGAR
COLLEGE ROAD
HOSPET PIN – 583 201
CET NUMBER: MJ090
DATE OF ADMISSION: 29-6-2015.

- 29 . MR. DR.H.G.GOUTHAM
AGED ABOUT 24 YEARS
S/O GANJI NAGARAJA
ADDRESS:FD 40, HAL SOQ
OLD MADRAS ROAD
C.V.RAMAN NAGAR POST
NEAR BAIYAPPANAHALLI METRO STATION
BENGALURU – 560 093
CET NUMBER: DA077
DATE OF ADMISSION: 25-6-2015.
- 30 . MS. LAKSHMI SAI C.,
AGED ABOUT 24 YEARS
D/O C.V.BALAKRISHNA RAO
ADDRESS: 203 BALAJI AAVAAS
HOPE FARM CIRCLE
WHITEFIELD, BENGALURU – 560 066
CET NUMBER: CE063
DATE OF ADMISSION: 25-06-2015.
- 31 . MR. LIKITH B.K.,
AGED ABOUT 23 YEARS
S/O VITTOBHA GAWALKAR
ADDRESS: NEAR BHAVANI THEATRE
SANGAMESHWAR NAGAR
SHAHAPUR YADGIRI – 585 223
CET NUMBER: PE505
DATE OF ADMISSION: 25-06-2015.
- 32 . DR. MANJUNATH N.,
AGED ABOUT 24 YEARS

S/O NARAYANA GOWDA M.S.,
ADDRESS: NO.343/A 6TH CROSS
7TH MAIN, HAMPINAGARA
VIJAYANAGARA
BENGALURU – 560 104
CET NUMBER: AN229
DATE OF ADMISSION: 22-07-2015.

- 33 . MS. MANJUSHREE
AGED ABOUT 23 YEARS
D/O VINAY KUMAR SHETTY
ADDRESS: SHREE MANJU
AMPAR KUNDAPUR TALUK
UDUPI DISTRICT- 576 101
DATE OF ADMISSION: 29-06-2015.
- 34 . MS. NAMITA ANILKUMAR TUMBAL
AGED ABOUT 23 YEARS
D/O ANILKUMAR V.TUMBAL
ADDRESS: FLAT NO.S4, 2ND FLOOR
RO ORCHARD APARTMENT
NEAR UTTARADIMATH
VIDYANAGAR – 580 031.
CET NUMBER: NM165
DATE OF ADMISSION: 23-07-2015.
- 35 . MS. NAVYA B.,
AGED ABOUT 24 YEARS
D/O BASAVANYAPPA B.,
ADDRESS: 52, SRI DURGADEVI NIVASA
SWAMI VIVEKANANDA BADAVANE
GOPALA, SHIVAMOGGA – 577 201
CET NUMBER: XC451
DATE OF ADMISSION: 20-07-2015.
- 36 . MS. NIRIKSHA ADKY
AGED ABOUT 23 YEARS
D/O S.A.ADKY

ADDRESS: H.NO.2-497, SHIVANI
GAZIPUR, GULBARGA (KALABURGI)
CET NUMBER: PR152
DATE OF ADMISSION: 23-07-2015.

- 37 . MS. NIRMALA V.T.,
AGED ABOUT 24 YEARS
D/O VENKATESH T.R.,
ADDRESS: ROOM NO.516
NEW CHANDRASHEKAR HOSTEL
MANIPAL UDUPI – 576 104
CET NUMBER: LU320
DATE OF ADMISSION: 24-06-2015.
- 38 . MS. NUREN TASGAONKAR
AGED ABOUT 25 YEARS
D/O JAVEL IQBAL
ADDRESS: 2, GAONKAR PLOTS
JAYANAGAR, SAPTAPUR, DHARWAD
KARNATAKA – 580 001.
CET NUMBER: NE117
DATE OF ADMISSION: 25-06-2015.
- 39 . MS. POOJA MUDENUR
AGED ABOUT 23 YEARS
D/O JAGADEESH MUDENUR
ADDRESS: VIDYANAGAR VINAYAKA BADAVANE
7TH CROSS DEAD END
DOOR NUMBER NO.5308/9
NEAR DISTRICT 17 HOTEL
DAVANAGERE
CET NO: GL118
DATE OF ADMISSION: 25-06-2015.
- 40 . MS. POOJA SINGH
AGED ABOUT 25 YEARS
D/O SUNIL KUMAR SINGH
ADDRESS: HOUSE NO.20, 1ST MAIN

2ND CROSS, MSR NAGAR
BENGALURU – 560 054
CET NO: BN019
DATE OF ADMISSION: 22-07-2015.

- 41 . MS. POOJASHREE A.J.,
AGED ABOUT 23 YEARS
D/O JAYARAM
ADDRESS: AREHALI VILLAGE
HULIKERE POST, NAGAMANGALA TQ
MANDYA DISTRICT – 571 432
CET NO: MQ526
DATE OF ADMISSION: 20-07-2015.
- 42 . MS. PUJA S.M.,
AGED ABOUT 23 YEARS
D/O MANIVANNAN S.,
ADDRESS:1161, BDA LAYOUT
1ST BLOCK, 4TH CROSS, 6TH MAIN
BTM 4TH STAGE
BENGALURU – 560 076
CET NUMBER: CH211
DATE OF ADMISSION: 08-07-2015.
- 43 . MS. RANJITHA DIGAMBAR REVANKAR
AGED ABOUT 25 YEARS
D/O DIGAMBAR RAMA REVANKAR
ADDRESS: NEAR JAIHIND LODGE
GOVT. HOSPITAL ROAD
GUDIGARGALLI ANKOLA, UTTARKANNADA
CET NUMBER: ZB047
DATE OF ADMISSION: 24-06-2015.
- 44 . MR. S.VINAY
AGED ABOUT 23 YEARS
S/O S.CHANDRASHEKAR
ADDRESS: SRI SAI SADAN, N.C.COLONY
1ST CROSS, HOSPET

CET NO: ME274
DATE OF ADMISSION: 30-06-2015.

- 45 . MR. SANJAY L.,
AGED ABOUT 23 YEARS
S/O LOKESH
ADDRESS: KALPATARU HOUSE, THALYA ROAD
SHIVAGANGA VILLAGE AND POST
HOLALKERE (T) CHITRADURGA
CET NO: XD431
DATE OF ADMISSION: 23-07-2015.
- 46 . MS. SOUMYA S.GONAL
AGED ABOUT 23 YEARS
D/O SHASHIDHAR G.,
ADDRESS: H.NO.781/44
NEAR SHIVANAND HIGH SCHOOL
PANCHAKSHARI NAGAR
NAVANAGAR, HUBBALLI – 580 025.
CET NO: NJ125
DATE OF ADMISSION: 30-06-2015.
- 47 . MS. SNEHA RAJESH MISKIN
AGED ABOUT 23 YEARS
D/O RAJESH MISKIN
ADDRESS: H.NO.69
MAHALAXMI LAYOUT
GOKUL ROAD, HUBLI
CET NO: NH356
DATE OF ADMISSION: 25-06-2015.
- 48 . MR. SASHANK S.KOUNDINYA
AGED ABOUT 23 YEARS
S/O S.L.SHRIDHAR
ADDRESS: DOOR NO.500, KANASU
UDAYAGIRI EXTENSION
3RD CROSS, HASSAN – 573 201
CET NO: YE097

DATE OF ADMISSION: 25-06-2015.

- 49 . MS. SHILPA EASWARAN
AGED ABOUT 25 YEARS
D/O TPS EASWARAN
ADDRESS: S270, KANAKADHARA, 3RD MAIN
SANCHAR NAGAR, MCEHS LAYOUT
BENGALURU – 560 077
CET NO: NH356
DATE OF ADMISSION: 23-07-2015.
- 50 . MS. SUCHETA SANJEEV CHIKODI
AGED ABOUT 23 YEARS
D/O SANJEEV B.CHIKODI
ADDRESS: NO.494, 8TH MAIN
VIJAYANAGAR
BENGALURU – 560 040
CET NO: CQ440
DATE OF ADMISSION: 25-06-2015.
- 51 . MS. SUMATI LINGAYYA GOURI
AGED ABOUT 23 YEARS
D/O DR. LINGAYYA GOURI
ADDRESS: D/O DR. LINGAYYA GOURI
SRI ANNADANESHWAR NAGAR
KODIKOPPA, NAREGAL – 582 119.
CET NO: NJ599
DATE OF ADMISSION: 25-06-2015
- 52 . MS. SUSHMITA G.HITTALAMANI
AGED ABOUT 23 YEARS
D/O GOPAL
ADDRESS: AT CHIKKSANSI POST
DEVANAL TALUK
BAGALKOT DISTRICT – 587 204
CET NO: MD256
DATE OF ADMISSION: 30-06-2015

- 53 . MR. THUMBICHETTY GIRISH
AGED ABOUT 25 YEARS
S/O VENKATACHALA T.L.,
ADDRESS: NO. 38/56, SURVEYOR STREET
BASAVANGUDI, BENGALURU SOUTH
BENGALURU – 560 004.
CET NO: CA007
DATE OF ADMISSION: 25-06-2015
- 54 . MS. UNMISHA B.M.,
AGED ABOUT 23 YEARS
D/O MAHADEVA B.S.,
ADDRESS: 8/145, SAAKSHI NILAYA
SRI CHOWDESHWARI TEMPLE STREET
KOLLEGAL – 571 440
CET NO: ML391
DATE OF ADMISSION: 23-07-2015
- 55 . MS. VARSHITHA S.,
AGED ABOUT 24 YEARS
D/O D.SHANTHAKUMAR
ADDRESS: 26/22, 3RD KKP MAIN ROAD
SHAKAMBARI NAGAR, IP NAGAR
BENGALURU- 70
CET NO: CWO49
DATE OF ADMISSION: 25-06-2015
- 56 . MS. AISHWARYA SHUKLA
AGED ABOUT 24 YEARS
D/O PREMAL SHUKLA
ADDRESS: NO. 191/2
CARE POINT MANSION
GROUND FLOOR, 9TH CROSS
HMT LAYOUT, R.T.NAGAR
BENGALURU – 560 032.
CET NUMBER: BB058
DATE OF ADMISSION: 25-06-2015

- 57 . MS. ANUSHA S.HEGDE
AGED ABOUT 24 YEARS
D/O SHREEKANT HEGDE
ADDRESS: RATNA 27/A
SAMPIGE NAGAR 1ST CROSS
NEAR MRITHYUNJAYA NAGAR BUS STAND
VIDYA NAGAR HUBLI
CET NO: NM483,
DATE OF ADMISSION: 25-06-2015.
- 58 . MR. FAISAL MULLA
AGED ABOUT 24 YEARS
S/O IMTIAZ AHMED
ADDRESS: MOHIDIN BUILDING
MICHGIN COMPOUND
SAPTAPUR, DHARWAD – 580 001
CET NUMBER: NE148
DATE OF ADMISSION: 25-06-2015
- 59 . MS. V.SHRUTHI MEENAKSHI
AGED ABOUT 23 YEARS
D/O VENKATASUBRAMANI VENKATARAMAN
ADDRESS: E-616, BRIGADE GARDENIA
RBI LAYOUT, J.P.NAGAR, 7TH PHASE
BENGALURU – 560 078
CET NO: CT608,
DATE OF ADMISSION: 20-07-2015
- 60 . MS. VANDANA V.,
AGED ABOUT 23 YEARS
D/O VEERAI AH V.,
ADDRESS NO. 654, 3RD CROSS
KEMPEGOWDA LAYOUT, 3RD PHASE
BANASHANKARI 3RD STAGE
BENGALURU – 560 085
CET NO: CE306
DATE OF ADMISSION: 20-07-2015

- 61 . MS. VARSA PATRA
AGED ABOUT 24 YEARS
D/O NITHYANANDA PATRA
ADDRESS: 109, NISH-7 APARTMENT
RMV STAGE 2, BENGALURU – 560 094
CET NO: BH337
DATE OF ADMISSION: 25-06-2015
- 62 . MS. VIJETHA A.S.,
AGED ABOUT 24 YEARS
D/O SEETHARAMA GOWDA A.,
ADDRESS: 11-66C
'VIJETHA' ANANTHAKRISHNA NAGAR
2ND CROSS, KUTHPADI POST
UDYAVARA, UDUPI – 574 118
CET NO: WD175
DATE OF ADMISSION: 14-07-2015.
- 63 . MS. DIVYA SHARMA DIVYADARSHINI
AGED ABOUT 24 YEARS
D/O SATISH CHANDRA SHARMA
ADDRESS: 1803(1447/A), 39TH 'F' CROSS
18TH MAIN, 4TH 'T' BLOCK, JAYANAGAR
BENGALURU – 560 041.
CET NUMBER: CX197
DATE OF ADMISSION: 20-07-2015
- 64 . MS. NIDHI M.SANGLI
AGED ABOUT 24 YEARS
D/O MOHAN R.SANGLI
ADDRESS: 201B,
SHIVARANJANI APARTMENTS
ITI LAYOUT, BANASHANKARI 3RD STAGE
KATHRIGUPPE MAIN ROAD,
BENGALURU – 560 085
CET NO: CE645
DATE OF ADMISSION: 25-06-2015.

- 65 . MR. RAKSHITH P.UTTAM
AGED ABOUT 24 YEARS
S/O R.PURUSHOTHAM
ADDRESS: NO. 241/11,
53RD 'C' CROSS, 17TH 'D' MAIN
3RD 'Y' BLOCK, RAJAJINAGAR
BENGALURU – 560 010
CET NO: BE393
DATE OF ADMISSION: 25-06-2015
- 66 . MS. RASIKA T.SHANKAR
AGED ABOUT 24 YEARS
D/O RAVI N.SHANKAR
ADDRESS: NO. 14, STERLING HEIGHTS
FLAT 201, 9TH CROSS
MALLESWARAM, BENGALURU- 560 003
CET NO: CC200
DATE OF ADMISSION: 25-06-2015
- 67 . MR. VIKYATH SATISH
AGED ABOUT 23 YEARS
S/O K.N.SATISH
ADDRESS: 301, SAI CHARAN
153/1, 9TH CROSS, 7TH MAIN
MALLESHWARAM
BENGALURU – 560 003
CET NO: CF145
DATE OF ADMISSION: 25-06-2015
- 68 . MS. SOUNDARYA UPADHYA
AGED ABOUT 23 YEARS
D/O SRIPAD UPADHYA
ADDRESS: 4:211 SOURABH KODI ROAD
HANGLUR KUNDAPUR
CET NO: WG298
DATE OF ADMISSION: 25-06-2015
- 69 . MR. AKASH NAYAK S.,

AGED ABOUT 24 YEARS
S/O NAYAK
ADDRESS: 4,331 C DHARANI 1ST MAIN
3RD RIGHT CROSS, HAYAGREEVA NAGARA
KUNJIBETTU POST INDRALI,
UDUPI – 576 104
CET NO: WA008
DATE OF ADMISSION: 01-07-2015

- 70 . MS. ASHRITA SHETTY
AGED ABOUT 24 YEARS
D/O SUDHAKAR SHETTY
ADDRESS: PALLAVI RESIDENCY
NEAR NEW BUS STAND
MUNDARGI ROAD, GADAG – 582 111
CET NO: MJ008
DATE OF ADMISSION: 30-06-2015
- 71 . MR. AVINASH RAO G.,
AGED ABOUT 23 YEARS
S/O CHENNAKESHA RAO G.,
ADDRESS: UPASANA, BRAHMAKUMARIS ROAD
BRAHMAGIRI, UDUPI – 576 101
CET NO. WC103
DATE OF ADMISSION: 22-07-2015
- 72 . MR. CHANDAN KUMAR N.R.,
AGED ABOUT 23 YEARS
S/O RANGANATHA SWAMY G.,
ADDRESS: 3RD CROSS, LAKSHMISHANAGARA
KADUR – 577 548
CHIKKAMAGALURU
DATE OF ADMISSION: 25-06-2015
CET NO.MJ466
- 73 . MS. D.L.DEVASREE
AGED ABOUT 23 YEARS
D/O N.DEVARAJAN

ADDRESS: D.28/7, DRODO TOWNSHIP
PHASE 2, C.V.RAMAN NAGAR
BENGALURU – 560 093
CET NO. CU205
DATE OF ADMISSION: 23-07-2015

- 74 . MS. DANIYA RAFIQ KARAJGI
AGED ABOUT 23 YEARS
D/O MOHAMMAD RAFIQ KARAJGI
ADDRESS: 1418/2, 9TH CROSS
KTJ NAGAR, DAVANGERE
KARNATAKA – 577 002
CET NO. NJ298
DATE OF ADMISSION: 25-06-2015
- 75 . MR. DARSHAN TEMKER M.,
AGED ABOUT 24 YEARS
S/O DR. MADAN TEMKER D.,
ADDRESS: 394, 7TH CROSS
8TH MAIN, BEML LAYOUT
THUBARAHALLI
BENGALURU – 560 066
CET NO. CD080
DATE OF ADMISSION: 25-06-2015
- 76 . MR. DEEPAK B.,
AGED ABOUT 23 YEARS
S/O BASAVARAJU H.S.,
ADDRESS: 225, JAI MARUTHI NILAYA
GROUND FLOOR, 16TH MAIN
9TH CROSS, BEHIND KUVEMPU SCHOOL
PARALLEL TO KAMAKSHI HOSPITAL ROAD
SARASWATHIPURAM, MYSURU – 570 009
CET NO. IQ139
DATE OF ADMISSION: 29-06-2015
- 77 . MR. HARI PRASAD V.,
AGED ABOUT 23 YEARS

- S/O VENKATESH A.N.,
ADDRESS: 44, 5TH MAIN, 3RD BLOCK
AYAPPA NAGAR, K.R.PURAM
BENGALURU – 560 036
CET NO. AF577
DATE OF ADMISSION: 20-07-2015
- 78 . MS. HARSHITHA M.,
AGED ABOUT 23 YEARS
D/O MAHENDRA
ADDRESS: 40/6, 39TH CROSS
8TH BLOCK JAYANAGAR
BENGALURU – 560 070
CET NO. CL341,
DATE OF ADMISSION: 20-07-2015
- 79 . MS. ISHA BHAT
AGED ABOUT 23 YEARS
D/O SANJAY BHAT
ADDRESS: H.NO. 582 BLOCK
C1 PALAM VIHAR, GURUGRAM HARYANA
CET NO. CE324
DATE OF ADMISSION: 21-07-2015
- 80 . MS. K.R.JAYALAXMI
AGED ABOUT 24 YEARS
D/O K.S.RAMAKRISHNA
ADDRESS: 1210, BLOCK 'A'
CASA GRANDE, ATTAVARA
MANGALORE
CET NO.MA149
DATE OF ADMISSION: 25-06-2015
- 81 . MS. NIVYA GUDIVADA
AGED ABOUT 24 YEARS
D/O GUDIVADA
ADDRESS: NO.45 1ST 'B' CROSS
7TH BLOCK, BSK 3RD STAGE

BANAGIRINAGAR
BENGALURU - 560 085
CET NO. AU057
DATE OF ADMISSION: 23-07-2015

- 82 . MS. PREKSHA M.,
AGED ABOUT 24 YEARS
D/O MANOJ KUMAR B.,
ADDRESS: NO.68, T-M ROAD
LAKKAVALLI, TARIKERE (T)
CHIKKMAGALURU (D) - 577 128
CET NO. XA082
DATE OF ADMISSION: 23-07-2015
- 83 . MS. PRIYA SURENDRAN
AGED ABOUT 23 YEARS
D/O SURENDRAN K.,
ADDRESS: 1002, BLOCK 'A'
SAI GRANDEUR, JAIL ROAD
MANGALORE - 575 003
CET NO. MH 326
DATE OF ADMINISTRATION 25-06-2015
- 84 . MS. SRAVYA C.,
AGED ABOUT 23 YEARS
D/O CHANDRASHEKAR CHANNAPRAGADA
ADDRESS: 320, MAHAVEER SPRINGS ANNEX
15TH MAIN, 17TH CROSS, JP NAGAR 5TH PHASE
BENGALURU - 560 078
DATE OF ADMISSION: 25-06-2015
- 85 . MR. SUDEEP G.C.,
AGED ABOUT 24 YEARS
S/O CHANDRASHEKAR
ADDRESS: ANANYA KIDIYOOR ROAD
AMBALAPADY, UDUPI - 576 103
CET NO.WB380
DATE OF ADMISSION: 25-06-2015

- 86 . MS. SUNAINA
AGED ABOUT 23 YEARS
D/O NOOR AHMED K.,
ADDRESS: SURAKSHA CLINICAL LAB
MAIN ROAD, BALEHONNUR - 577 112
CHIKKMAGALURU, KARNATAKA
CET NO.MK233
DATE OF ADMISSION: 25-06-2015
- 87 . MS. SWARA RAJEEV KULKARNI
AGED ABOUT 24 YEARS
D/O RAJEEV KULKARNI
ADDRESS: PLOT 92, NAVAJEEVAN NAGAR
BEHIND PNT COLONY, KALABURGI
CET NO.MA625
DATE OF ADMISSION: 15-07-2015
- 88 . MR. ISMAIL ZABIULLA RIFAI
AGED ABOUT 24 YEARS
S/O NASRULLA RIFAI
ADDRESS: NO.33, 80 FEET ROAD
HMT LAYOUT, R.T.NAGAR
BENGALURU - 560 032
CET NO.BE597
DATE OF ADMISSION: 25-06-2015
- 89 . MS. SUSHMITHA S.SHETTY
AGED ABOUT 24 YEARS
D/O SHARATHKUMAR SHETTY
ADDRESS: SRI MOOKAMBIKA NILAYA
MEPU, KOTESHWARA, KUNDAPURA, UDUPI
CET NO.WJ240
DATE OF ADMISSION: 25-06-2015
- 90 . MS. DHARINI PRASAD
AGED ABOUT 23 YEARS
D/O PRASAD

ADDRESS: R18 RESONANCE
GOODEARTH MALHAR
BEHIND RAJARAJESHWARI
MEDICAL COLLEGE
OFF MYSORE ROAD, KENGERI
BENGALURU - 560 060
CET NO.BS119
DATE OF ADMISSION: 30-06-2015

- 91 . MR. ADNAN RAFIQ KARAJGI
AGED ABOUT 23 YEARS
S/O MOHAMMAD RAFIQ KARAJGI
ADDRESS: 1418/2, 9TH CROSS,
KTJ NAGAR, DAVANAGERE
KARNATAKA -577 002
CET NO.NH298
DATE OF ADMISSION: 25-06-2015
- 92 . MS. SUMEDHA SIRCHAR
AGED ABOUT 24 YEARS
D/O SUJIT SIRCAR
ADDRESS: 2004, TOWER A
SALARPURIA MAGNIFICIA
DOORVANINAGAR
BENGALURU - 560 016
CET NO.AA268
DATE OF ADMISSION: 15-07-2015
- 93 . MS. MINAL B.SHIVAPRAKASH
AGED ABOUT 24 YEARS
D/O DR. SHIVAPRAKASH K.V.,
ADDRESS: NO.243/2, WEST OF CHORD ROAD
SHIVANAGAR, RAJAJINAGAR
BENGALURU -560 010
CET NO.BY045
DATE OF ADMISSION: 25-06-2015
- 94 . MS. PRAKRUTHI HARIHAR

AGED ABOUT 24 YEARS
D/O PRASANNA S.HARIHAR
ADDRESS: NO.111
VISHWAMITRA, 12TH B CROSS
20TH MAIN, J.P. NAGAR
2ND PHASE, BENGALURU - 560 078
CET NO.CB024
DATE OF ADMISSION: 20-07-2015

- 95 . MR. ROHITH NARAYAN Y.N.,
AGED ABOUT 23 YEARS
S/O Y.A.NARAYANASWAMY
ADDRESS: NO.5, SHRI SHAILA
FLORENCE SCHOOL ROAD
1ST CROSS, DOLLARS COLONY
RMV 2ND STAGE, BENGALURU - 560 094
CET NO. CP039
DATE OF ADMISSION: 25-06-2015
- 96 . MR. SIDDHARTH NAYAK
AGED ABOUT 24 YEARS
S/O NITHIN NAYAK
ADDRESS: A 105, MANTRI CLASSIC
8TH CROSS, 1ST A MAIN, S.T. BED LAYOUT
KORAMANGALA, 4TH BLOCK
BENGALURU - 560 034
CET NO.AH331
DATE OF ADMISSION: 25-06-2015
- 97 . MS. SNEHA POLADI
AGED ABOUT 24 YEARS
D/O P.SRINIVASA RAO
ADDRESS: A 102,
SHIVARANJANI APARTMENTS
ITI LAYOUT, KATHRIGUPPE MAIN ROAD
BANASHANKARI 3RD STAGE
BENGALURU - 560 085
CET NO.AU206

DATE OF ADMISSION: 25-06-2015

- 98 . MS. SOUJANYA H.S.,
 AGED ABOUT 24 YEARS
 D/O H.M.SURESH
 ADDRESS: NO.51, AASHIRWADA
 7TH CROSS, HMT LAYOUT
 R.T.NAGAR, BENGALURU - 560 032
 CET NO.BC341
 DATE OF ADMISSION: 25-06-2015
- 99 . SUHAAS GANJOO
 AGED ABOUT 24 YEARS
 S/O SUNIL GANJOO
 ADDRESS: H NO.111, GANESH VIHAR
 LOWER MUTHI, JAMMU J AND K - 181 205
 CET NO.AA438
 DATE OF ADMISSION: 21-07-2015
- 100 . DR. DEVIDUTT P.G.,
 AGED ABOUT 25 YEARS
 S/O V.PRASAD
 PERMANENT ADDRESS NO.572, 5TH MAIN
 BOGADI 2ND STAGE (N), MYSORE - 570 026
 CET NO.UD096
 DATE OF ADMISSION: 25-06-2015
- 101 . MR. SHASHANK V.R.,
 AGED ABOUT 24 YEARS
 S/O RAMESH BABU V.S.,
 ADDRESS: 1478, 23RD CROSS
 11TH MAIN 'B' BLOCK, SAHAKAR NAGAR
 BENGALURU - 560 092
 CET NO.CX147
 ADMISSION DATE AS PER KEA ORDER 25-06-2015
- 102 . MR. SANDEEP RAO KORDCAL
 AGED ABOUT 24 YEARS

S/O SHRISHA KORDCAL
ADDRESS: SHRI NIVASA
OPPOSITE POST OFFICE
KATAPADI, UDUPI - 574 105
CET NO.WE154
DATE OF ADMISSION: 30-06-2015

- 103 . MR. ANKUSH
AGED ABOUT 24 YEARS
S/O SOMEGOWDA
ADDRESS: 104/12, 1ST CROSS
OPP. SAMUDHAYA BHAVANA
GOWRIKOPPALU, HASSAN
KARNATAKA - 573 202
CET NO.MC173
DATE OF ADMISSION: 25-06-2015
- 104 . ANUSH
AGED ABOUT 24 YEARS
S/O SOME GOWDA K.A.,
ADDRESS: NO.104/12, 1ST CROSS
OPPOSITE SAMUDHAYA BHAVANA
GOWRIKOPPALU, HASSAN - 573 202
CET NO.MD172
DATE OF ADMISSION: 25-06-2015
- 105 . VIGNESH K.R.MADHU
AGED ABOUT 25 YEARS
S/O K.C.RAVI KUMAR
ADDRESS: 474, 1ST FLOOR
3RD MAIN SRINAGAR
BENGALURU - 560 050
CET NO.AG337
DATE OF ADMISSION: 29-06-2015
- 106 . MR. JAVRIA TALATH KHAZI
AGED ABOUT 25 YEARS
S/O KHAZI ZIAULLA

ADDRESS: 62, 22ND MAIN ROAD
18TH CROSS, J.P.NAGAR
5TH PHASE, BENGALURU - 560 078
KARNATAKA
CET NO.AS034
DATE OF ADMISSION: 25-06-2015

107 . MS. SHRUTI M.NAIR
AGED ABOUT 24 YEARS
D/O DINESH R.NAIR
ADDRESS: AISHWARYA LAKE VIEW RESIDENCY
6TH CROSS, KAGADASAPURA
C.V.RAMAN NAGAR,
BENGALURU - 560 093
CET NO.CJ222
DATE OF ADMISSION: 24-07-2015

108 . VENKATA LAKSHMI MANASA GORU
AGED ABOUT 24 YEARS
D/O VENKATA JAGANMOHAN RAO GORU
ADDRESS: NO.11, WHITE ORCHID VILLE
RUSTUMJI LAYOUT, WHITEFIELD
BENGALURU - 560 066
CET NUMBER BK508
DATE OF ADMISSION: 25-06-2015

109 . MS. MAHIMA GAWALKAR
AGED ABOUT 23 YEARS
D/O VITTOBHA
ADDRESS: NEAR BHAVANI THEATER
SANGAMESHWAR NAGAR
SHAHAPUR YADGIRI - 585 223
CET NO.PE505
DATE OF ADMISSION: 25-06-2015

... PETITIONERS

(BY SRI GIRISHKUMAR R., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND
FAMILY WELFARE, VIKASA SOUDHA
BENGALURU – 560 001.

- 2 . COMMISSIONERATE OF HEALTH AND
FAMILY WELFARE SERVICES
GOVERNMENT OF KARNATAKA
REPRESENTED BY ITS COMMISSIONER
HAVING OFFICE AT AROGYA SOUDHA
MAGADI ROAD, BENGALURU – 560 023
REPRESENTED BY ITS COMMISSIONER

- 3 . THE DIRECTORATE OF
MEDICAL EDUCATION
REP. BY ITS DIRECTOR
HAVING OFFICE AT
ANANDA RAO CIRCLE
BENGALURU – 560 009

- 4 . THE RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCES
REPRESENTED BY ITS REGISTRAR
HAVING OFFICE AT 4TH 'T' BLOCK
JAYANAGAR, BENGALURU – 560 041

- 5 . KARNATAKA MEDICAL COUNCIL
REPRESENTED BY ITS REGISTRAR
HAVING OFFICE AT NO.70, 2ND FLOOR
VAIDYAKEEYA BHAVANA
K.R.ROAD, H.B.SAMAJA ROAD CORNER
BASAVANAGUDI, BENGALURU – 560 004.

... RESPONDENTS

(BY SRI R.SUBRAMANYA, AAG A/W.,

SMT. PRAMODHINI KISHAN, AGA FOR R-1 TO R-3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE NOTIFICATION DATED 08/06/2021 BEARING NO.DHS/BEC/07/2021-22 ISSUED BY 2ND RESPONDENT PRODUCED AT ANNEXURE-A.

THESE WRIT PETITIONS HAVING BEEN HEARD AND RESERVED FOR ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

Conglomeration of these cases call in question (i) notification dated 08-06-2021 whereby every candidate who joins MMBS in Karnataka State under the Government quota and who graduate in the year 2021 will have to undergo compulsory service and will have to execute a compulsory bond as a part of compulsory service in the allotted Government hospitals selected and posted on the basis of merit through a process of counseling and (ii) a corrigendum dated 17-06-2021 issued later, whereby Rule 11 of the Karnataka Selection of Candidates for admission to Government seats in Professional Educational Institutions Rules, 2006 ('2006 Rules' for short) comes to be amended, directing all candidates who

get admitted to MBBS Course under Government quota in any of the medical colleges run by the Government of Karnataka or Government seats in private medical colleges who have completed MBBS course including internship, shall serve the Government, failing which, the students would be punished with a fine of not less than ₹15/- lakhs which may extend up to ₹30/- lakhs. Calling in question the aforesaid - notification and its corrigendum, the petitioners have also sought a string of directions by issuance of a writ in the nature of *mandamus*. One such prayer is to annul by declaration all bonds executed by the petitioners pursuant to Rule 11 of the aforesaid 2006 Rules. The facts giving rise to the challenge in all these cases are identical and, therefore, the facts obtaining in Writ Petition No. 10079 of 2021 are noticed for the sake of brevity.

2. Heard Sri.B.C.Thiruvengadam, learned senior counsel along with Sri.Manik.B.T., learned counsel, appearing for petitioners in W.P.No.7435 of 2021 and W.P.No.10079 of 2021 and learned senior counsel Sri K.G.Raghavan in few of the cases; Sri.Brijesh Singh.M., learned counsel appearing for petitioners in W.P.No.10297 of 2021;

Sri.Girishkumar R., learned counsel appearing for petitioners in W.P.No.10374 of 2021 and W.P.No.2137 of 2022; Sri.Ramananda.A.D., learned counsel for petitioners in W.P.No.10379 of 2021, Sri.Akash V.T., learned counsel appearing for petitioners in W.P.No.10381 of 2021; Sri. Vivekananda.S., learned counsel appearing for petitioner in W.P.No.10751 of 2021; Smt. Shreya S.Kumar, learned counsel for petitioners in W.P.No.13569 of 2021. Sri.M.N.Kumar, learned Central Government Counsel appearing for Union of India, Sri.R.Subramanya, learned Additional Advocate General along with Smt.Pramodhini Kishan, learned Additional Government Advocate appearing for the State; Sri.N.Khetty, learned counsel appearing for National Medical Council, Sri.N.K.Ramesh and Sri.M.S.Devaraju, learned counsel appearing for Rajiv Gandhi University of Health and Sciences; Smt.Ratna N.Shivayogimath, learned counsel appearing for Karnataka Medical Council and Sri.R.Subramanya, learned counsel appearing for Dr.B.R.Ambedkar Medical College and Hospital, Bengaluru.

3. Certain undisputed facts are, that all the petitioners in these petitions participate in the Karnataka Common Entrance Test ('KCET' for short) conducted between 12-05-2015 and 13-05-2015. The results of the said test were announced on 31-05-2015. The petitioners have all secured admission to MBBS course in various medical colleges both of Government and private medical colleges under Government quota. Therefore, the undenial fact is that the petitioners are students who secured seats in Government colleges and in private colleges under Government quota. All these petitioners were sought to complete their courses in the year 2019-2020. Certain developments took place from the date they were allotted to certain medical colleges to pursue their career in MBBS. On 24-07-2015, the Karnataka Compulsory Service by Candidates Completed Medical Courses Act, 2012 and Rules, 2015 ('2012 Act' and '2015 Rules' for short) are brought into force on the same day. The 2012 Act and the 2015 Rules were brought into force at the time when the Indian Medical Council Act was in existence and all the nuances of the career and the aftermath of the petitioners were governed by the Indian Medical Council Act, 1956.

4. On 08-08-2019 the Indian Medical Council Act, 1956 gets repealed and the Medical Council of India gets dissolved. On the same day, another enactment comes into force i.e., 'National Medical Commission Act, 2019'. The petitioners, on completion of the course, are directed to serve compulsory service with the Government in the allotted hospitals according to their merit. It is at that point in time the present petitions are preferred. Submissions of the learned counsel for the petitioners, at the interim stage, were made in extenso and a co-ordinate Bench of this Court on 20-07-2021, by a detailed order, refused to stay the challenge to the notification and corrigendum and directed that the petitioners should abide by the conditions stipulated under the notification and the corrigendum. The matters were then taken up for their final disposal with the consent of parties.

5. The learned senior counsel representing the petitioners in unison have made three fold submissions. The State Government does not have legislative competence to notify Rule 11 of the 2006 Rules. The 2012 Act runs repugnant to the National Medical Commission Act, 2019, a Central enactment and on such

repugnancy the National Medical Commission Act, 2019 ('NMC Act' for short) would prevail over the State enactment. The bonds that are executed by the petitioners at the time when they joined medical courses were all bonds that were executed at the time when they were not even 18 years old and, therefore, the bonds are unenforceable; the bond that is sought under the amended Rule 11 was never notified and, therefore, the bond under the amended Rule 11 is illegal.

5.1. Elaborating the aforesaid folds, the learned senior counsel Sri B.C. Thiruvengadam who has sphere headed the arguments in the cases, contends that when NMC Act is an Act of the Parliament and the Act of 2012 *supra* being a State legislation, it is hit by repugnancy, as the 2012 Act which contemplates registration of candidates on the State register for completion of compulsory rural service should give way to the NMC Act, which specifically lays down that any person who qualifies in the National Exit Test as contemplated under Section 15 of the NMC Act, is entitled for a license to practice medicine and has a choice to get enrolled either as a Doctor under the National register or State

register. When the NMC Act, 2019 permits such registration without any condition, the 2012 Act of the State imposing condition of completion compulsory rural service is void. He would contend that the students who have registered on the State register cannot practice medicine under the 2012 Act without completion of compulsory rural service. But, certain persons under the NMC Act are entitled to a license and registration either on the State register or the National register and are entitled to practice the moment they get qualified by passing National Exit Test under Section 15 of the NMC Act. The submission is that the 2012 Act of the State percolates into 2019 NMC Act, an Act of parliament and would prevail and not the earlier enactment of the State.

5.2. The learned senior counsel would further take this Court through the documents appended to the petitions to contend that inconsistencies galore between the legislations – the State Act of 2012 and the NMC Act, 2019. He would take this Court to subsection (4) of Section 3 of the 2012 Act of the State to contend that it is contrary to Section 33(1) of the NMC Act, 2019, as according to him the National Exit Test under Sections 15 and 33 of the NMC Act

would override 2012 Act of the State. The learned senior counsel would further contend that 2006 Rules including the amended Rule 11 are illegal, as they are beyond the legislative competence of the State Government under sub-section (1) of Section 14 of the Capitation Fee Act, 1984. He would contend that Rule 11 of the 2006 Rules is erroneous, as it contemplates imposition of penalty on the students or parents of the students and it runs counter to Section 14 of the Parent Act, which empowers the rule making authority to make Rules to regulate educational institutions charging exorbitant capitation fee and to provide adequate seats for students of Karnataka. He would contend that the Rule nowhere regulates the charging of capitation fee, but depicts penalty for non-acceptance of completion of rural service. It is, therefore, his contention that the Rules have no legal legs to stand.

5.3. The further submission of the learned senior counsel is that the bonds are sought from the hands of the petitioners to be compulsorily executed at the time of their admission by the students under the amended Rule 11. The amendment comes about pursuant to a notification dated 17-07-2012. The notification itself

directs that the Rule would come into effect after its publication in the Official Gazette. It is his allegation that the Rule is not published in the Official Gazette as on the date, on which the petitioners in all these cases have either executed the bonds or have completed their education and, therefore, the learned senior counsel submits that the bonds that are executed are sought to be quashed.

6. On the other hand, the learned Additional Advocate General Sri R.Subramanya would vehemently refute every one of the submissions by seeking to contend that all these issues have already been gone into by a co-ordinate Bench of this Court in ***BUSHRA ABDUL ALEEM v. GOVERNMENT OF KARNATAKA***¹ and all these contentions have been negated by the co-ordinate Bench. It is his contention that the Notification of 8-06-2021 issued under 2006 Rules cannot be questioned by the petitioners as at the relevant point in time, the Government quota students formed a different class against other class of students and later by the 2012 enactment, all the students irrespective of Government or private

¹ *ILR 2020 KAR 963*

have been brought under the ambit of 2012 Act. Since the State has made compulsory service uniformly applicable to one and all, it cannot be struck down on the ground that it is arbitrary; manifestly arbitrary or discriminatory. He would contend that Rule 11 of the 2006 Rules has been notified under Section 14 of the Capitation Fee Act. The Act permits the Government to regulate by Rules the purposes of the Act. One such purpose of the Act, according to the State, is the one that is notified in the year 2006. There are several notifications under 2006 Rules. Regulation of admission in educational institutions is what Section 14 of the Capitation Act contemplates and, therefore, Rule 11 falls within the ambit of Section 14 as it seeks to regulate admission to educational institutions. Therefore, it cannot be said that Rules of 2006 or amended Rule 11 would lose its legal legs to stand.

6.1.1. Insofar as legislative competence is concerned, the learned Additional Advocate General would seek to rely upon entry 25 in List-III of Seventh Schedule to the Constitution of India to contend that education is regulated by the State in terms of power

under Entry 25 and, therefore, it cannot be said that the State has no legislative competence to bring in the Rules.

6.1.2. Insofar as the much argued issue of repugnancy is concerned, the learned Additional Advocate General would again rely on the judgment of the co-ordinate Bench in **BUSHRA ABDUL ALEEM** (*supra*) to contend that the issue of repugnancy has also been gone into by the co-ordinate Bench and it would not lie with the petitioners to repeatedly contend repugnancy, notwithstanding the fact that it has been negatived once. Without prejudice to the said submission, the learned Additional Advocate General would submit that there is no repugnancy at all. According to the learned Additional Advocate General there was no provision in the Act of Parliament viz., Indian Medical Council Act or no provision in the National Medical Commission Act, 2019 which would touch upon compulsory rural service and execution of bonds for the said rural service. Therefore, the theory of occupied field would not become applicable to the cases at hand, as the field is not occupied by an Act of Parliament.

6.1.3. Insofar as imposition of execution of bonds by the petitioners as a condition for admission to medical colleges is concerned, it would not be violative of Articles 14, 19(1)(g) or 21 of the Constitution of India. The learned Additional Advocate General would contend that the bond that is executed is in the nature of contract between the parties and they are bound by it. He would contend that identical legislation introduced by the State of Madhya Pradesh did fall for consideration before the Apex Court in **Dr. VAIBHAV YAWALKAR v. UNION OF INDIA**² and would seek to place reliance upon the judgment of the Apex Court in the case of **ASSOCIATION OF MEDICAL SUPERSPECIALITY ASPIRANTS AND RESIDENTS v. UNION OF INDIA**³. He would contend that the petitions are hit by delay and laches and the petitioners have taken admission under the Government quota in the year 2015-16 and have chosen to prefer these writ petitions in the year 2021. If the petitioners were aggrieved by the execution of bonds executed in the year 2015-16, they ought to have called that in question in the year 2015 itself and not after six years. In defense of the allegation that the bonds are executed under an amended rule

² 2019 SCC OnLine MP 5436

³ (2019) 8 SCC 607

which is never notified, the learned Additional Advocate General would contend that though the amendment to Rule 11 under the 2006 Rules was notified on 08-06-2021, the petitioners were made aware of the notification and, therefore, they cannot contend that merely because the notification is not immediately gazetted it would not affect the validity of the notification since the petitioners were at all times aware that compulsory rural service is a necessity at the time when they exit on completion of MBBS course. For every submission *supra*, the learned Additional Advocate General has placed reliance upon several judgments and those relevant to the issue would bear consideration in the course of the order.

7. In reply to the submissions made by the learned Additional Advocate General, the learned senior counsel for the petitioners would again in unison contend that the issue before this Court in ***BUSHRA ABDUL ALEEM*** (*supra*) was a judgment rendered considering the Indian Medical Council Act, 1956 as at that point in time when the matters were decided on 30-08-2019 the Act of 2019 was yet to receive its Presidential assent and therefore, the judgment would not become applicable to the facts of the case at

hand, as there is a sea change in the Indian Medical Council Act and the National Medical Commission Act, 2019. They would therefore, contend that the issue will have to be dealt with all over again *qua* National Medical Commission Act without reference to the Indian Medical Council Act, 1956. To buttress their submission, they have also relied on several judgments of the Apex Court and that of coordinate Benches of this Court which would again bear consideration *qua* their relevance in the course of the order.

8. I have given my anxious and thoughtful consideration to the elaborate submissions made by both the learned senior counsel, the learned Additional Advocate General and all the learned counsel in the *lis*. In furtherance whereof, the following issues fall for my consideration:

- "(i) Whether the State lacks legislative competence to enact the impugned Act?**
- (ii) Whether 2012 Act is hit by repugnancy qua NMC Act, 2019?**
- (iii) Whether imposition of compulsory rural service and execution of bond under the amended Rule 11 of the 2006 Rules are valid in law?"**

In seriatim these issues would be considered.

ISSUE NO.1:**(i) Whether the State lacks legislative competence to enact the impugned Act?**

9. As observed hereinabove the co-ordinate Bench of this Court in **BUSHRA ABDUL ALEEM** *supra* considers the very issue, whether the State lacked legislative competence in enacting the 2015 Rules on the ground of discrimination, manifest arbitrariness, unworkability or proportionality – all would fall under the sweep of Article 14 of the Constitution of India, as the contentions now advanced are that the Rule takes away the right to profession guaranteed under Article 19(1)(g) of the Constitution of India. The co-ordinate Bench answering the said contention and the issues has held as follows:

"15. *As to the socio-historical background of prescribing compulsory medical service:*

- (i) *For determining the purpose or object of the legislation in challenge, it is permissible and desirable to look into the circumstances and the social conditions which prevailed at the time when the law was enacted and which necessitated such enactment; this is important for the purpose of appreciating the background and the antecedent factual matrix that lead to the legislative*

process resulting into the enactment; even to sustain the presumption of constitutionality, the Apex Court states, consideration may be had to the matters of common knowledge, history of the times and "every conceivable state of facts" existing at the time of making of the law, vide Shashikant Laxman Kale v. Union of India [(1990) 4 SCC 366] ,.

- (ii) *The Colonial Rulers introduced Western system of Medicine in the country largely to cater to the needs of their settlers, servicemen and sepoys in the Army; while the elite India had the options of availing the benefits of Western Medicine, the Indian masses were left to be served by the indigenous system; the vast majority of rural population had no opportunity of coming into even occasional contact with the 'qualified doctors'; the foreign rulers in the last century, introduced the 'Licentiate Medical Practitioner Course' (LMP) and the indigenous medical practitioners were catering to the needs of small towns and rural areas, whose services were far below the minimum standard of health care; the National Planning Committee of Indian National Congress, way back in 1938 had constituted Col. Santok Singh Committee for National Health Rejuvenation; the Committee reported about the pathetic status of medical facilities and infrastructure in the country and had recommended for radical reforms; in 1946 Sir Joseph Bhole Committee recommended for the integration and restructuring of health services in the country and for the establishment of Community Health Work Force, with more focus on service to rural masses.*
- (iii) *India has acute shortage of qualified health workers, especially Doctors, and this work force is substantially concentrated in urban areas; the public health qualified Physicians who were available in larger numbers in the first decade of Independence, have almost disappeared from the system; the norms for public health service providers though have been set long ago gradually proved inadequate by today's requirement & expectations; to this is added exponential population growth; the public health functionaries, as the official statistics reveal, are markedly short and they are militantly inadequate in rural India where the larger*

population of the country resides; bringing skilled health professionals to remote, rural & difficult areas remains a Herculean task; from 2006-07 and onwards, under the National Rural Health Mission (NRHM), a variety of measures have been introduced to address the shortage of skilled workers in rural and difficult areas; the impugned Act is one big leap in that direction.

16. Community health concerns and our international commitment:

India's concern for providing health care to its people stems not only from the constitutional mandate as progressively interpreted by the Apex Court, but also from its international commitments; Article 55(b) of the United Nations Charter calls for the promotion of solutions inter alia of health problems for achieving stability and well being in the World; under Article 56 of the Charter, the Member States (India being one) pledged to co-operate with the UN in achieving the said objects; the Universal Declaration of Human Rights, 1948, declares that everyone is entitled to adequate standards of living, health and well being; Article 12 of International Covenant on Economic, Social & Cultural Rights, 1966 recognizes right of an individual qua his Nation State to health and medical services; the constitution of the World Health Organization, which is a principal organ of the United Nations responsible for health issues, defines health as under:

"Health is a state of complete physical, mental and social well-being and net merely the absence of disease or infirmity. The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion and political belief, economic or social condition".

Article 51(C) of our constitution enacts a Directive Principle for respecting international law; the Constitution and other Municipal laws need to be construed in the light of the United Nations Charter, international treaties & conventions vide Kesavananda [(1973) 4 SCC 225: AIR 1973 SC 1461], paras 155 & 156 Jolly George Verghese [(1980) 2 SCC 360: AIR 1980 SC 470] & Vis Aka [(1997) 6 SCC 241: AIR 1997 SC 3011].

17. Directive principles: Apex Court and the Community health care obligation:

Banking upon the provisions of Parts III & IV of our Constitution and the International Conventions as well, in several decisions the Apex Court has reiterated that the Community Right to Health emanates from the ever expanding reservoir of Article 21 coupled with the State obligations under Directive Principles enshrined in Articles 39(e), 41, 43 & 47 of the Constitution vide Consumer Education and Research Center v. Union of India [(1995) 3 SCC 42] , at para 24; Article 47 instructs the State to evolve the Policy inter alia for improving public health; the said Article specifically declares that this is a primary duty of the State; in this regard, it is pertinent to refer to a few important decisions of the Apex Court, mentioned below:

- (i) *In Paschimbanga Khetmazdoor Samity v. State of W.B. [(1999) 7 SCC 120 : AIR 1999 SC 2894] at para 9 it is observed:*

"The Constitution envisages the establishment of a welfare State at the federal level as well as at the State level. In a welfare State the primary duty of the Government is to secure the welfare of the people. Providing adequate medical facilities for the people is an essential part of the obligations undertaken by the Government in a welfare State. The Government discharges this obligation by running hospitals and health centres which provide medical care to the person seeking to avail of those facilities. Article 21 imposes an obligation on the State to safeguard the right to life of every person. Preservation of human life is thus of paramount importance. The government hospitals run by the State and the medical officers employed therein are duty-bound to extend medical assistance for preserving human life. Failure on the part of a government hospital to provide timely medical treatment to a person in need of such treatment results in violation of his right to life guaranteed under Article 21"

- (ii) *In Vincent Panikurlangara v. Union of India [(1987) 2 SCC 165]*, para 16, it is said:

"In a series of pronouncements during the recent years this Court has culled out from the provisions of Part IV of the Constitution these several obligations of the State and called upon it to effectuate them in order that the resultant pictured by the Constitution Fathers may become a reality As pointed out by us, maintenance and improvement of public health have to rank high as these are indispensable to the very physical existence of the community and on the betterment of these depends the building of the society of which the Constitution-makers envisaged. Attending to public health, in our opinion, therefore, is of high priority - perhaps the one at the top."

- (iii) *In State of Punjab v. Ram Lubhaya Bagga [(1998) 4 SCC 117]*, a three Judge Bench of the Apex Court observed:

"when we speak about a right, it correlates to a duty upon another, individual, employer, government or authority. In other words, the right of one is an obligation of another. Hence, the right of a citizen to live under Article 21 casts obligation on the State. This obligation is further reinforced under Article 47, it is for the State to secure health to its citizens as its primary duty. No doubt the Government is rendering this obligation by opening Government hospitals and health centres, but in order to make it meaningful, it has to be within the reach of its people, as far as possible to reduce the queue of waiting list, and it has to provide all facilities for which an employee looks for at another hospital... since it is one of the most sacrosanct and valuable rights of a citizen and equally sacred obligation of the State, every citizen of this welfare State looks towards the State for it to perform its this obligation with top priority...."

- (iv) A Five Judge Bench of the Apex Court in *Modern Dental College & Research Center v. State of M.P [(2016) 7 SCC 353]*, at paras 171 & 172 observed:

"It is the obligation of the State under the Constitution to ensure the creating of conditions

*necessary for good health including provisions for basic curative and preventive health services and assurance of healthy living and working conditions. Under Articles 39(e), 39(f) and 42 of the Constitution, obligations are cast on the State to ensure strength and health of workers, men and women; ensure children are given opportunities and facilities to develop in a healthy manner and to secure just and humane conditions of work and for maternity relief.... Article 47 of the Constitution makes improvement of public health a primary duty of the State.... **Maintenance and improvement of public health and to provide health care and medical services is the constitutional obligation of the State. To discharge this constitutional obligation, the State must have the doctors with professional excellence and commitment who are ready to give medical advice and services to the public at large.**"*

- 18. Apex Court on scarcity of rural medical service and reluctance of doctors to serve:**
- (i) Procurement of rural health care professionals has been a big challenge not only in India but in other advanced countries too; the shortage of health care work force is exacerbated in rural and semi-urban areas where the State struggles to attract and keep well trained clinicians; despite medical school initiatives and State Policies to train rural physicians, the rural India continues to face greater shortage of health professionals; health care delivery has been a challenging task in rural locations; in the case of State of U.P. v. Dinesh Singh Chauhan [(2016) 9 SCC 749] , at paras 40 & 41, the Apex Court observed that there has been a scarcity of Doctors in villages and that there has been a lack of response from graduate doctors to serve in remote or difficult areas; it also referred to Rajya Sabha debates of 23.12.2014 which mentioned about the extreme shortage of qualified and skilled Doctors for health care in rural areas and the Governmental measures proposing compulsory rural postings for Doctors; at para 44, it said:**

".....The State Governments across the country are not in a position to provide healthcare facilities in remote and difficult areas in the State for want of doctors. In fact there is a proposal to make one-year service for MBBS students to apply for admission to postgraduate courses, in remote and difficult areas as compulsory...."

- (ii) **Though, after the advent of Freedom, the numerical strength of medical colleges been exponentially increased and consequently, the population of health service professionals is also bulkened, the masses in rural and semi-urban areas continue to be deprived of essential medical services; the immediate victims are the poor, the underprivileged and the depressed classes; the medical education seen in the Country today is characterized by an obsessive pursuit of Post Graduate Courses by the young graduate doctors who normally have marked disinclination to serve in the country side; about three and a half decades ago, Apex Court in Dr. Pradeep Jain v. UOI [(1984) 3 SCC 654.] , had exhorted:**

"What is, therefore, necessary is to set up proper and adequate structures in rural areas where competent medical services can be provided by doctors and some motivation must be provided to the doctors servicing those areas."

- (iii) **Decades later in State of Punjab v. Shivram [(2005) 7 SCC 1] , at para 39 it was observed:**

"...How the medical profession ought to respond: Medical profession is one of the oldest professions of the world and is the most humanitarian one. There is no better service than to serve the suffering, wounded and the sick. Inherent in the concept of any profession is a code of conduct, containing the basic ethics that underline the moral values that govern professional practice and is aimed at upholding its dignity. Medical Ethics underpins the values at the heart of the practitioner-client relationship. **In the recent times,**

professionals are developing a tendency to forget that the self-regulation which is at the heart of their profession is a privilege and not a right and a profession obtains this privilege in return for an implicit contract with society to provide good, competent and accountable service to the public. It must always be kept in mind that doctor's is a noble profession and the aim must be to serve humanity, otherwise this dignified profession will lose its true worth"

- 19. A glimpse of impugned 2012 Act as amended by 2017 Act:**
- (i) The impugned law has been enacted by the State Legislature vide Karnataka Act No. 26 of 2015 for the avowed purpose of providing "for Compulsory Service by candidates completed medical courses before award of degrees or post-graduate degrees or diplomas" the Preamble to the Act specifically mentions why such a law is made i.e., "to provide for compulsory service"; even before the Amendment Act was made, the Statement of Objects and Reasons appended to the original Bill stated the purpose as: "to ensure availability of service... in Government Primary Health Centres and Government Hospitals"; this Act having been reserved for and is assented to by the President under Article 254(2) of the Constitution.**
- (ii) Section 1 of the impugned Act gives it's title, extent and commencement: the Government has notified the Principal Act w.e.f. 24.07.2015; Section 2 being the Dictionary Clause enlists definitions; Section 3 prescribes to the MBBS Graduates one year compulsory service in Government Primary Health Centres/Hospitals in rural areas as Junior Residents; Section 4 prescribes to the Post-Graduate Diploma candidates one year compulsory service in Government hospitals in urban areas as Senior Residents, and similarly, Section 5 prescribes to the Super Specialty candidates one year compulsory service in District Government**

hospitals as Senior Specialists; these sections guarantee their monthly stipend almost on par with the gross salaries admissible to the comparable posts/positions in the cadre minus Rs. 100/-; the Act also provides for temporary registration enabling practice of medicine; Section 6 being the enforcing provision prescribes a maximum penalty of Rs. 30 lakh, the minimum being 15 lakh for violation of the provisions of the Act; Section 7 gives, over-riding effect to the Act qua conflicting 'other law'; Section 8 vests in the Government the 'power to remove difficulties' during the initial period of three years of working of the Act, and Section 9 vests in it the 'rule making power'; accordingly the impugned 2015 Rules have been promulgated for carrying out the purposes of the Act.

20. Interim stay order against 2012 Act, and consequential legislative amendment in 2017:

In an avalanche of petitions laying challenge, a Co-ordinate Bench of this Court having heard the matter, had issued Rule and granted interim order on 06.10.2015, staying the operation of the Principal Act and interdicting "all further proceedings, orders, actions, notifications including the Rules etc., pursuant to the Act"; the concerned respondents were directed to issue appropriate degrees and grant registration to the petitioners, subject to result of the writ petitions; petitioners were asked to furnish an undertaking that in the event, the writ petitions fail, they would comply with the provisions of the Act; the said order of stay fleetingly treated many of petitioners' contentions; the State Legislature presumably taking note of this order, has enacted the Amendment Act vide Karnataka Act No. 35 of 2017 which came into effect vide Notification dated 11.07.2017; by virtue of amendment the words "training" & "trainee" stood omitted from the Principal Act, except in sub-Section (4) of Sec. 3; the amendment also removes embargo on the grant of degree and temporary registration under the provisions of the Karnataka Medical Registration Act, 1961 (hereafter KMC Act) and the IMC Act, which otherwise was interdicted under the

Principal Act; this amendment has removed some arguable grounds against vires of the Act.

21. CONTENTIONS AS TO LEGISLATIVE COMPETENCE:

- (a) **The approach to the issue of constitutionality of law:** It has now been well settled that in cases involving questions of legislative competence, the enquiry should always be, as to the true nature and character of the challenged legislation and it is the result of such investigation, and not its form that will determine as to whether or not, the said legislation relates to a subject, which is within the power of the Legislature. In such investigation, the Courts do examine the effect of the legislation and take into consideration its object, purpose or design for the purpose of ascertaining its true character & substance and, the class of subjects of legislation to which it really belongs, and not for finding out the motives which prompted the legislature to make such legislation; a Five Judge Bench of the Apex Court in *R.K. Dalmia v. Justice Tendolkar* [AIR 1958 SC 588] , ruled that there is always a presumption in favour of the constitutionality of an enactment and the burden to rebut the same lies on him who attacks it.
- (b) **IMC Act and Legislative Lists & Entries:** Petitioners' contention that the IMC Act, having been originally enacted prior to 42nd Amendment to the Constitution is referable to only Entry 66 List I in Seventh Schedule, is bit difficult to accept; post 42nd Amendment w.e.f. 3.1.1977, Entry 25 List III which had a restrictive text earlier as "vocational and technical training of labour" has been broadened with the new text now reading: "Education, including technical education, medical education and universities, subject to the provision of entries 63, 64, 65 and 66 of List I; vocational and technical training of labour". although predominantly, the IMC Act deals with **medical education** referable to Entry 66 List I is true; going by the text & context of several of its provisions, it cannot be denied that the Act also deals with certain aspects of medical profession as well, and to that extent, is referable to Entry 26 List III which reads "**Legal, medical and other professions**" this was the

stand of Learned Sr. Advocate Mr. Poovayya too, in his Written Submissions, upto a particular point, although in a bit different context;

(i) *it has been the concrete case of all the petitioners that the impugned Act has curtailed their statutory right to practise medicine which is protected under Article 19(1)(g); Sec. 15 of the IMC Act gives exclusive right of practice in favour of enrolled medical graduates; practising medicine sans enrolment attracts penalty; Sec. 20A gives power to the IMC to prescribe Standards of Professional Conduct & Etiquette and a Code of Ethics for medical practitioners; Sec. 25 provides for provisional registration as a sine qua non for gaining entry to the profession, and entitles the registered candidates to practise medicine; Sec. 27 extends this right throughout the country, in favour of persons possessing recognised medical qualifications once their names are borne on the Indian Medical Register; thus, the IMC Act deals with two subjects namely medical education referable to Entry 66 List I may be read with Entry 25 List III, and medical profession referable to Entry 26 List III; this view is consistent with the decision of the Apex Court in Dr. Preethisrivastava v. State of M.P. [(1999) 7 SCC 120 : AIR 1999 SC 2894] , and in Modern Dental College, (supra);*

(ii) *The contention that the IMC Act is referable only to Entry 66 List I is founded more on its historicity, than on any canons of constitutional jurisprudence; since the constitutional law operates as an organic system of fundamental rules of binding conduct, ideally speaking, coherent with each other, addition, deletion or the change of one ordinarily casts its light or shadow on the rest, subject to all just exceptions; Entry 26 List III, post 42nd Amendment does this, inter alia to the IMC Act that was enacted prior to 42nd Amendment; thus, the IMC Act being referable to Entry 66 List I (i.e., Education) & Entry 26 List III (i.e., profession) falls in the class of "ragbag*

legislations" in the words of M.N. Venkatachalaiah J, in *Ujagar Prints v. Union of India* [(1989) 3 SCC 488] ,.

22. Impugned Act & the Legislative Entries:

- (i) ***It has been a settled principle of constitutional jurisprudence that the Entries in the three Lists in the Seventh Schedule need to be given the widest interpretation possible; HM Seervai, in his Constitutional Law of India, Fourth Edition, Vol-I, Para 2.12 writes "The golden rule of interpretation is that, words should be read in their ordinary natural and grammatical meaning subject to the rider that in construing words in a Constitution conferring legislative power the most liberal construction should be put upon the words so that they may have effect in their widest amplitude."; this has been the legal position at least, since Navinchandra Mafatlal v. Cit, Bombay [(1955) 1 SCR 829] , the impugned Act which prescribes one year compulsory public service in the Government hospitals is referable to Entry 6 List II which reads "Publichealth and sanitation; hospitals and dispensaries", the Apex Court in Paschimbanga Khetmazdoor Samity, supra has held:***

"In a welfare State the primary duty of the Government is to secure the welfare of the people. Providing adequate medical facilities for the people is an essential part of the obligations undertaken by the Government in a welfare State. The Government discharges this obligation by running hospitals and health centres which provide medical care to the person seeking to avail of those facilities. Article 21 imposes an obligation on the State to safeguard the right to life of every person. Preservation of human life is thus Of paramount importance";

Consistent with the above observation of the Apex Court, the said Entry 6 List II needs to be construed as having a far more wider import than otherwise, failing which would be "much ado

signifying nothing”, to borrow the words of Shakespeare;

- (ii) *There is one more angle which the Bar did not much advert to, in the course of hearing; impugned Act is also referable to Article 309 & Entry 41 List II, which speak of inter alia State public services; the Five Judge Bench of the Apex Court in the Case of I.N. Saksena v. State of M.P [(1976) 4 SCC 750 : AIR 1976 SC 2250] , while construing the width and depth of this Entry observed:*

31. Entry. 41, List II, reads as under:

“41. State public services; State Public Service Commission.”

32. It is well settled that the entries in these legislative lists in Schedule VII are to be construed in their widest possible amplitude, and each general word used in such Entries must be held to comprehend ancillary or subsidiary matters. Thus considered, it is clear that the scope of Entry 41 is wider than the matter of regulating the recruitment and conditions of service of public servants under Article 309. The area of legislative competence defined by Entry 41 is far more comprehensive than that covered by the proviso to Article 309. By virtue of Articles 246, 309 and read with Entry 41, List II, therefore, the State legislature had legislative competence not only to change the service conditions of State Civil Servants with retrospective effect but also to validate with retrospective force invalid executive orders retiring the servants, because such validating legislation must be regarded as subsidiary or ancillary to the power of legislation on the subject covered by Entry 41.”

Since the impugned Act also is referable to multiple entries like the IMC Act, as mentioned above, it too is another classic case of ‘ragbag legislations’ vide Ujagarprints, (supra).

- 23. Compulsory service and vinculum juris of employer - employee:**

Since the State is employing these candidates in public service for a certain period, on a certain monthly remuneration (regardless of its nomenclature) and with a certain designation, there are all the indicia of public employment; ordinarily an employment, be it private or public, arises from a contract which may graduate to status depending upon the law regulating the same; but compulsory employment is also not unknown to Service Jurisprudence; in all civilized jurisdictions, compulsory defence services, do obtain; even the debates of Dr. Ambedkar and others in the Constituent Assembly mention about this vide CAD Vol. VII, 3rd December, 1948; there is nothing in service jurisprudence that spurns at employer-employee relationship even in a compulsive engagement of services, especially when Article 23(2) of the Constitution itself sanctions "imposing compulsory service for public purposes", the impugned Act frugally and the 2015 Rules abundantly speak of Service Law concepts such as 'service', 'rural service', 'service period' 'vacancy', 'list of vacancies', 'eligibility', 'entrance test', 'selection', 'merit list', 'appointment', 'posting', 'working hours', 'nature of work', 'control & supervision', 'stipend', 'travelling allowance & daily allowance', 'leave', 'medicallleave', 'attendance certificate', 'certification of completion of service', etc.; thus, in pith & substance, elements of public service abound in the impugned law.

24. True object of impugned Act; construing its objectionable parts as otiose: amendments:

- (i) *Words 'training' & 'trainee' and the provision delaying degree were insignificant: The title and the provisions of the Principal Act had originally employed the terms 'training' & 'trainee'; it had provisions that had the effect of delaying the grant of degree or distinction; overstressing these, the petitioners contended that the Act was referable to Entry 66 List I i.e., medical education which is exclusively the domain of Parliament; now that these words are omitted and the provisions delaying grant of degree are removed by the Amendment Act, the said contention having lost its substratum does not merit consideration; the related contention that, corresponding changes are not brought about in the impugned 2015 Rules, does not advance their case any further, either; the Rules being subordinate legislation, regardless of*

arguably their wide text, need to be construed in the light of parent Act as amended.

- (ii) *The further contention that the Principal Act, in pith & substance, dealt with the field of 'medical education' referable to Entry 66 List I, and therefore the same being incompetently enacted, is as good as a still-born child and could not have been revived by the Amendment Act, appears to be too farfetched an argument. A law is amended when it is in the whole or in part permitted to remain and something is added to, or taken from it or it is in some way changed or altered in order to make it more complete or perfect or effective; however, where the replacement of amendment theory prevails, the original Act is blotted out and is superseded by the amendatory Act, leaving it alone in effect; technically, an amended statute is not a new and independent statute since a part of the original Act remains; the question whether a statute which is unconstitutional in its entirety can be amended may be debatable because if the original enactment is completely unconstitutional, there may be nothing to amend; but where a statute is unconstitutional in part only, it may be laid down as a general rule undoubtedly in all jurisdictions that the statute may be amended by obliterating the invalid provisions or by correcting those which violate the Constitution, says **Crawford** in **"THE CONSTRUCTION OF STATUTES"** at paragraphs 115 & 117 (2014 Reprint, Pakistan Law House).*
- (iii) *The argument that the Principal Act having been enacted incompetent is void ab initio and therefore, could not have been amended is structured inter alia on the basis of the words 'training' & 'trainee', and an erstwhile provision deferring the grant of degree and permanent registration to the students even after completion of the course; now that all this having been removed/diluted by the Amendment Act, keeping in view the observations made in the interim stay Order dated 06.10.2015, as already discussed above, the substratum for maintaining such a contention no longer exists.*

- (iv) **Objectionable parts of law & their interpretative mellowing down:** True it is, that the Principal Act had employed the terms 'training' and 'trainee'; there was also a provision for delaying grant of degree even after completion of course; all that did not make the Principal Act, any the less referable to Entries 6 & 41 in List II and Entry 26 in List III as already discussed above; these words could not have had any significance or meaning; It is open to the Courts to ignore certain words and even certain provisions of a statute by interpretative techniques so that the statute remains functional and the risk of its invalidation is avoided; Maxwell on 'The Interpretation of Statutes' Twelfth Edition by P.St. J. Langan at page 228 writes:

"WHERE the language of a statute, in its ordinary meaning and grammatical construction, leads to a manifest contradiction of the apparent purpose of the enactment, or to some inconvenience or absurdity which can hardly have been intended, a construction may be put upon it which modifies the meaning of the words and even the structure of the sentence. This may be done by departing from the rules of grammar, by giving an unusual meaning to particular words, or by rejecting them altogether, on the ground that the legislature could not possibly have intended what its words signify, and that the modifications made are mere corrections of careless language and really give the true meaning. Where the main object and intention of a statute are clear, it must not be reduced to a nullity by the draftsman's unskilfulness or ignorance of the law."

- (v) **Imperfection in the language & expression of law:** Ordinarily, the operation of Statute is not automatic and like all legal rules, it has to take effect through the interpretation of the Courts, when challenge is laid; in their task of literal or grammatical interpretation, Courts are constantly reminded, to their unfeigned chagrin, of the imperfection of human language; the provisions of the Act should not confuse it's main issue and the purpose; a legislation should be maturely considered, and construed as having practical utility. In *Cramas Properties Ltd. v. Cannaught Fur Trimmings Ltd* [[1965] 1 WLR 892]

, at p. 899 Lord Reid has said "the canons of construction are not so rigid as to prevent a realistic solution". **C.K. Allen** in "**Law in The Making**" **Seventh Edition (Oxford)**, at page 484 opines:

"...To demand perfection of expression and sense is to expect infallibility not only of human foresight but of human language..... this defect may be inevitable, but that only makes it all the more inherent in the very nature of legislation....";

- (vi) **Ignoring some words or amputing some objectionable provisions in statutes:** History of Legislations in U.K and in India is replete with cases where Courts have ignored not only certain words employed in Statutes but even certain provisions which otherwise would have exposed the Statutes to absurdity or invalidation; Hannan J. in *Re Lockwood, deceased* [1959] Ch. 231 ignored certain words in Sec. 47(5) of the Administration of Estates Act, 1925, when to have taken them into account would have resulted in preferring first cousins twice removed to the nephews and nieces of a person dying intestate; Ungood-Thomas J. in *Wynn v. Skegness Urban District Council* [[1967] 1 WLR 52] , ignored the word "Charitable" employed in Sec. 11(1)(a) of the Rating and Valuation Act, 1961, keeping in view the dominant purpose of the Act; referring to a provision of an enactment, Lord Goddard CJ. said in *Bebb v. Frank* [[1939] 1 K.B. 558] , "For myself I am not ashamed to admit that I have not the least idea what sub-s. 8 means. **I cannot give any meaning to it** in the least satisfactory in my own mind"; Lord du Parc in *Cutler v. Wandsworth Stadium Ltd.* [(1949) C. 398, 410] , had ridiculed an enactment observing "There are no doubt reasons which inhibit the legislature from revealing its intention in plain words. I do not know, and must not speculate, what those reasons may be....."; Hon'ble Supreme Court in *Delhi Development Authority v. Virender Lal Bahri* [2019 SCC OnLine SC 279] , at para 1 faced with prima facie unsatisfactory structuring of a provision in Section 24 of the Right to Fair Compensation, etc. Act, 2013 quoted:

*"I'm the Parliament's draftsman,
I compose the country's laws,
And of half the litigation I'm undoubtedly the cause!"*

(vii) If the impugned Act is construed in the light of what is discussed above, no significance could have been attached to the erstwhile words "training" & "trainee" in the principal Act, nor to the provision which had deferred the grant of degree & permanent registration to the candidates completing the medical course; however, now in view of the Amendment Act which removed those words and diluted the provisions that made deferment of grant of degree & permanent registration, all this pales into insignificance inasmuch as the amended statute needs to be construed as if it had been originally, passed in its amended form or at least the parts unrepealed in the amendatory statute should be regarded as a continuance of existing law.

25. *Contentions as to occupied field, repugnancy, validity of Presidential Assent:*

(i) The contentions of the petitioners that the doctrines of 'occupied field' & of 'repugnancy' invalidate the impugned Act, do not merit acceptance since this Court in the discussion supra has already held that the impugned Act, in pith & substance is referable to Entries 6 & 41 in List II and Entry 26 in List III and not to Entry 25 in List III, especially after the objectionable parts and words therein are omitted by amendment; thus the subject matter of impugned Act is miles away from that of IMC Act, which is primarily referable to Entry 66 List I; for the same reason, the argument vociferously put forth from the side of the petitioners that once the Parliament by the IMC Act evinced an intent to occupy the field, the State could not have enacted the impugned law does not merit consideration; however, this Court hastens to add that, as already discussed above, the provisions of the impugned Act and of the IMC Act to the extent they regulate grant of registration & medical practice is referable to Entry 26 List III, as the KMC Act too is; this necessitated Assent of

the President to the impugned Act under Article 254(2); the Assent Order specifically mentions Secs. 15 & 25 of IMC Act, and the UGC Act, 1956.

- (ii) *The contention that the Presidential Assent is vitiated by the absence of due consideration of the matter by the agencies involved, has not been substantiated; there are no pleadings in the writ petitions in this regard, either; true it is, the Assent of the President is susceptible to judicial review albeit in a restrictive way vide Kaiser-I-Hind (P) Ltd. v. N.T.C. [(2002) 8 SCC 182 : AIR 2002 SC 3404] ,; but having perused every page in the Original File, that graciously was made available by the Learned AAG even to the Counsel for the petitioners, this Court is convinced that there was due deliberation of the matter that culminated into the Assent; both the agencies involved in the Assenting process are high constitutional functionaries i.e., the office of the President of India (the Decision Maker) and the office of the Governor of the State (the Input Provider); Article 261(1) of the Constitution states - "Full faith and credit shall be given throughout the territory of India to public acts, records and judicial proceedings of the Union and of every State"; keeping all this in mind, this contention is liable to be rejected.*

26. Temporary Registration under KMR Act r/w IMC Act, and scope of coverage of Presidential Assent:

- (i) *The petitioners next contended that the Assent of the President granted under Article 254(2) is confined to Secs. 15 & 25 of IMC Act is the case of the State itself; that there are other provisions i.e., Secs. 21, 23, 26 & 27 in the IMC Act in respect of which admittedly the Presidential Assent has not been secured; that these provisions give right to registration under KMR Act, 1961 and right to medical practise, and consequently, the impugned Act to the extent it curtails those rights is constitutionally bad; this contention does not gain acceptance because-Sec. 21 which requires maintaining of Indian Medical Register, does not inhere in the candidates a substantive right to registration & medical practice as such; Sec. 23 which speaks of registration in the Indian Medical Register also does not give such a*

right; Sec. 26 speaks of registration of additional qualifications secured by a registered medical practitioner; Sec. 27 speaks of privileges of persons enrolled in the Indian Medical Register; all these sections apparently have Sec. 15 as their substratum, in varying degrees; going by their text & context they are not "stand alone" provisions; therefore, the Presidential Assent grants primacy to the impugned law.

- (ii) **Incidental encroachment:** The above apart, assuming that there is a conflict between the provisions of the impugned Act and those of IMC Act, the same being not substantial, the former are saved under the '**doctrine of incidental encroachment**' since the intent & effect of these provisions are to sub-serve the dominant purpose of the impugned Act i.e., to secure candidates for compulsory medical service in the Government Hospitals; the Apex Court in *Hoechst Pharmaceuticals Ltd. v. State of Bihar* [(1983) 4 SCC 45] , para 57 observed:

"It is well settled that the validity of an Act is not affected if it incidentally trenches upon matters outside the authorized field and therefore it is necessary to inquire in each case what is the pith and substance of the Act impugned. If the Act, when so viewed, substantially falls within the powers expressly conferred under the Legislature which enacted it, then it cannot be held to be invalid merely because it incidentally encroaches on matters which have been assigned to another Legislature."

- (iii) True it is, that the permanent registration is deferred till after the candidate completes one year compulsory service, but not denied; deferral and denial are poles apart (are different from each other); to enable the petitioners to practise medicine during this period of one year, the impugned Act provides for temporary registration; there is nothing unreasonable in it; no Fundamental Right is absolute in the scheme of Part III of the Constitution; the Act which creates a public duty of the kind for the first time, need to have a reasonable provision for its enforcement; without a penal provision it

will be toothless; in addition to this, the power to enact law includes power to make necessary provisions for its implementation; after all, sanction is an ingredient of "Austinian Notion of Law"; therefore, there is nothing incompetent or incongruous in making such a provision in addition to the penal provision for ensuring compliance of the provisions of impugned Act; the further contention that the provisions of Secs. 4 & 5 of the impugned Act suffer from "manifest arbitrariness" inasmuch as they ignore an important factor that the permanent registration in the State Medical Register is a sine qua non for pursuing PG Degree/Diploma & Super Specialty Courses, is not substantiated by referring to any provisions in the MCI Regulations or the like; even otherwise, this temporary registration would satisfy the pleaded requirement, if any, for the purpose of admission to higher courses.

27. *Impugned Act v. Right to Profession under Article 19(1)(g):*

- (i) *As already discussed above, State's concern for providing health care to the citizens arises inter alia under Parts III & IV of the Constitution as progressively interpreted by the Apex Court in the light of relevant International Law & Conventions; the acute shortage of health care workers particularly in rural and semi-urban areas was recognized by the Apex Court more than three decades ago vide Dr. Pradeep Jain Case, (1984) supra and in the recent past in Dinesh Singh Chauhan Case, (2016) supra; several States have already evolved legislative & executive policies for addressing this requirement, and Karnataka is one of them; right to medical practice is given by the IMC Act; this right is protected under Article 19(1)(g) of the Constitution, is undeniable; but no Fundamental Rights are absolute and they admit as of necessity, reasonable restriction & regulation in larger public interest; none of the provisions of the impugned Act breaches the right to practise; on the contrary, the Act provides for medical practice soon after the course is complete, that too with designation, dignity & remuneration and for a short period of one year only; all this is in public interest.*

- (ii) *In a Welfare State, it is the obligation of the State to ensure the creation and sustaining of conditions congenial to good health; it has been a long settled position of law that the private rights of citizens when in conflict with public interest, have to yield to the greater good; the Apex Court in Sayyed Ratanbhaisayeed v. Shirdinagar Panchayat [(2016) 4 SCC 631] , at paras 58 & 59 observed:*

"58. The emerging situation is one where private interest is pitted against public interest. The motion of public interest synonymises collective welfare of the people and public institutions and is generally informed with the dictates of public trust doctrine - res communis i.e. by everyone in common. Perceptionally health, law and order, peace, security and a clean environment are some of the areas of public and collective good where private rights being in conflict therewith has to take a back seat. In the words of Cicero "the good of the people is the chief law".

59. The Latin maxim 'Salus Populi Suprema Lex ' connotes that health, safety and welfare of the public is the supreme in law. Herbert Broom, in his celebrated publication A Selection of Legal Maxims ' has elaborated the essence thereof as hereunder:

"This phrase is based on the implied agreement of every member of the society that his own individual welfare shall, in cases of necessity, yield to that of the community; and that his property, liberty and life shall, under certain circumstances, be placed in jeopardy or even sacrificed for the public good.

The demand of public interest, in the facts of the instant case, thus deserve precedence."

- (iii) *In M.R.F. Ltd. v. Inspector, Kerala Govt. [(1998) 8 SCC 227] , the Apex Court has laid down the following principles in adjudging the validity of restrictions on right to profession guaranteed under Article 19(1)(g):*

"On a conspectus of various decisions of this Court, the following principles are clearly discernible

- (1) *While considering the reasonableness of the restrictions, the Court has to keep in mind the Directive Principles of State Policy.*
 - (2) *Restrictions must not be arbitrary or of an excessive nature so as to go beyond the requirement of the interest of the general public.*
 - (3) *In order to judge the reasonableness of the restrictions, no abstract or general pattern or a fixed principle can be laid down so as to be of universal application and the same will vary from case to case as also with regard to changing conditions, values of human life, social philosophy of the Constitution, prevailing conditions and the surrounding circumstances.*
 - (4) *A just, balance has to be struck between the restrictions imposed and the social control envisaged by clause (6) of Article 19.*
 - (5) *Prevailing social values as also social needs which are intended to be satisfied by restrictions have to be borne in mind. (See: State of U.P. v. Kaushaliys, (1964) 4 SCR 1002: AIR 1964 SC 416)*
 - (6) *There must be a direct and proximate nexus or a reasonable connection between the restrictions imposed and the object sought to be achieved. If there is a direct nexus between the restrictions, and the object of the Act, then a strong presumption in favour of the constitutionality of the Act will naturally arise."*
- (iv) *A Five Judge Bench of the Apex Court in Sanjeev Coke Manufacturing Company v. Bharat Cooking Co. Ltd [(1983) 1 SCC 147] , at para 16 referring to the views of Bhagavathi J. in Minervamills v. Union of India [(1980) 3 SCC 625] , has held that if a law is enacted for the purpose of giving effect to a Directive Principle of State Policy, it would be difficult to condemn such law as*

unreasonable and not in public interest, if it imposes a restriction on a Fundamental Right under Article 19; that, amended Article 31C grants immunity to a law enacted "really and genuinely" for giving effect to Directive Principles enshrined in Part IV, eliminating time consuming controversy as to contravention of Fundamental Rights under Articles 14 & 19; none of the petitioners argued that the impugned law is made not for giving effect to Directive Principles; therefore, no case is made out as to violation of Article 19(1)(g), as rightly contended by Learned AAG Mr. Chouta.

- (v) *In a recent decision of 19.08.2019 in Association of Medical Super Speciality Aspirants, (infra), the Apex Court disagreed with the grievance of similarly placed litigants that prescription of compulsory service is a breach of their Fundamental Right to Profession and that the restrictions placed on their choice of place of work are unreasonable. The Court having discussed the scope of right to profession, right to life & liberty and right to privacy vide Puttaswamy, (supra) and the Government's International commitment vide Universal Declaration of Human Rights and the International Covenant on Economic, Social & Cultural Rights, repel the contention as to violation of these rights and upheld even Executive Policies of the State prescribing compulsory medical service to give effect to Directive Principles.*

28. *Impugned Act v. Equality Clause:*

- (i) *The contention that the impugned Act enclasps only the candidates post its enactment, all others having been left out and thus being discriminatory, is liable to be invalidated for violating the Equality Clause enacted in Article 14, appears to be too farfetched an argument; it has long been settled in all civilized constitutional jurisdictions that classification necessarily implies discrimination between persons classified and those who are left out of the class; that, it is the essence of a classification that upon the class are cast duties and burdens; others having been left out; indeed the very idea of classification is that of inequality so that it goes without saying that the mere fact of inequality in no*

*manner determines the constitutionality; when new legislative policies are evolved, the State as of necessity has to fix a cut-off date w.e.f. which new duties are loaded on the shoulders of the citizens falling into a class; such matters essentially fall within the domain of executive wisdom gained through experience; the reason for not casting the duty on the Doctors who are already in practice are not far to seek; if all they too were within the embrace of the Act, arguably challenge could have been laid on the grounds of manifest arbitrariness, over-inclusiveness, too-much-retrospectivity and the like; it hardly needs to be said, that the power of the State to legislate includes power to discriminate on intelligible differentia connected with the object sought to be achieved; in such matters, the State power has a larger latitude, subject to all just exceptions into which case of the petitioners does not fit; every breach of equality does not spell disaster as a lethal violation of Article 14. warranting award of death penalty to a plenary legislation; what a Five Judge Bench of the Apex Court observed in *Namitsharma v. UOI* [(2013) 1 SCC 745] , at para 15 needs to be borne in mind; it said:—*

"15. It is a settled canon of constitutional jurisprudence that the doctrine of classification is a subsidiary rule evolved by courts to give practical content to the doctrine of equality. Overemphasis on the doctrine of classification or anxious or sustained attempt to discover some basis for classification may gradually and imperceptibly erode the profound potency of the glorious content of equality enshrined in Article 14 of the Constitution...."

- (ii) *The contention that the impugned Act treats petitioner-candidates on par with those who have availed the benefit of "Government Seats" and therefore, this falls foul of Equality Clause which shuns dissimilars being treated similarly, does not impress the Court; the government-seat-allottee-candidates again are subject to a compulsory three year service as per the bonds executed by them in terms of Rule 15 of Karnataka Conduct of Entrance Test for Selection and Admission to Post*

Graduate Medical and Dental Degree and Diploma Courses Rules, 2006; challenge to this obligation is already negated by this Court in the case of Dr. Swamymanjunath v. State [W.P. Nos. 46917-47025/2018 dated 21.12.2018] , which is affirmed by the Division Bench on 15.02.2019 in the case of Dr. Varunbr v. State of Karnataka [W.A. No. 32/2019 (Edn-Res)] , and later upheld by the Apex Court in Association of Medical Super Specialty Aspirants and Residents v. Uoi [W.P.(C) No. 376/2018 & connected matters vide Order dated 19.8.2019] , the contention that those candidates form a class apart, is true, but that does not advance the case of petitioners since they too are liable to serve one year under the impugned Act, in addition to three years in terms of their Bond, as a quid pro quo for securing the Government seat; the other contention that because of the impugned Act, the inflow of students for admission to medical courses in the colleges within the State will be considerably affected possibly striking their death knell, is an argument in despair; such a contention does not merit even cursory examination inter alia in the absence of necessary statistical data; this apart, the contention touches the market forces assessment of which ordinarily is beyond the pale of judicial scrutiny; even otherwise, for challenge on this assertion, Article 14 does not much avail since the Act secures shelter under the protective umbrella of Article 31(C) vide Sanjeevcoke, supra.

29. Impugned Act v. Right to Privacy:

- (i) *The contention of Smt. Jayna Kothari, Learned Sr Advocate that the impugned Act enacting a compulsion render public service is violative of citizen's Fundamental Right to Privacy vide Puttaswamy v. UOI [(2017) 10 SCC 1], is bit difficult to sustain; true it is, in the said case, the Apex Court broadly explained and illustrated what "privacy" is, although, an exhaustive enumeration or catalogue of entitlements or interests comprised in right to privacy is left undetermined; Privacy includes at its core, the preservation of personal intimacies, sanctity of family life, marriage, procreation, home and sexual orientation. "**Privacy also connotes right to be left***

alone"; Privacy safeguards individual autonomy and recognizes ability of individual to control vital aspects of his or her life. Personal choices governing way of life are intrinsic to privacy, Learned Sr. Counsel Kothari specifically banks upon the observations of the Apex Court at paragraphs 373 & 424, in Puttaswamy Case, supra, which are as under:

"Similarly, the freedom to choose either to work or not and the freedom to choose the nature of the work are areas of private decision making process" (para 373)

"To exercise one's right to privacy is to choose and specify on two levels. It is to choose which of the various activities that are taken in by the general residue of liberty available to her she would like to perform, and to specify whom to include in one's circle when performing them. It is also autonomy in the negative, and takes in the choice and specification of which activities not to perform and which persons to exclude from one's circle. Exercising privacy is the signaling of one's intent to these specified others - whether they are one's co-participants or simply one's audience - as well as to society at large, to claim and exercise the right. To check for the existence of an actionable claim to privacy, all that needs to be considered is if such an intent to choose and specify exists, whether directly in its manifestation in the rights bearer's actions, or otherwise."

(para 424).

Learned Sr. Advocates M/s. Ashok Haranahalli, P.S. Rajagopal, Dhyan Chinnappa, Shashikiran Shetty and Jayna Kothari banking upon the above observations submitted: that the impugned law falls foul of this right inasmuch as the 'choice' in-built in privacy is robbed off; that the petitioners cannot be asked to work in ill-infracted/nil-infracted Govt, hospitals against their willingness, and may not be required to reside, eat & work in places which are not of their 'choice & convenience.'

- (ii) The Right to Privacy being of nascent origin is gathered inter alia from Part III read with Preamble of the

Constitution; if Part III 'Explicit Rights' can be regulated & restricted by law, albeit on certain permissible grounds, it hardly needs to be stated that the right to privacy which is derived therefrom cannot claim immunity from such regulation and restriction; in the very same decision, the Apex Court has clarified that like other rights which form part of fundamental freedoms protected by Part III including right to life and personal liberty under Article 21, privacy is not an absolute right, therefore, what applies to the Fundamental Rights in respect of regulation/restriction a priori applies to this right, and in the case of conflict, it has to yield to the larger public interest for achieving which the impugned Act is designed; the Apex Court in the second K.S. Puttaswamy (Adhaar) v. UOI [(2019) 1 SCC 1] , has held that the Right to Privacy can be abridged by a just, fair & reasonable law as any other Fundamental Rights can be; such abridgment has to fulfill the test of proportionality i.e., it should be proportionate to the need for such interference; in addition to this, the law in question must also provide procedural guarantees against abuse of such interference; abridgment has to be co-terminus with true requirement; going by this standard, it is difficult to countenance petitioners' argument that the impugned Act is constitutionally invalid, especially when State's power to compel citizens to render public service is sanctioned under Article 23(1) of the Constitution.

- (iii) *The contention that the candidates are required to go to even remote and difficult areas to work and to reside there, where they may encounter some difficulties as to availability of food & shelter of their choice may be true, but it is too feeble a ground for invalidating the law made for effectuating the constitutional imperatives i.e., Directive Principles and also for addressing the concern of the Apex Court as to non-availability of medical services to the rural masses & to the underprivileged classes; the petitioners reliance on the decision of Chattisgarh High Court in Dr Atin Kundu v. State [AIR 2003 Chh 1] , is not well founded since the Rule in challenge there apparently related to Post Graduate medical education to the advantage of the students unlike the law impugned herein whose focal point is public service in Govt, hospitals; that*

apart, this Court is not very sure whether the ratio in the said decision if at all is invocable in view of the latest decision of the Apex Court in the case of Association of Medical Super Speciality Aspirants, (supra)-, however, this does not allow the respondent authorities to turn Nelson Eye to the affliction the candidates deployed for compulsory services in rural and difficult areas are put to; if there are genuine difficulties, the authorities functioning under the impugned Act/Rules are required to address the same at the earliest after hearing the concerned; the contention that the candidates may not get posting to the hospitals which are reasonably infrastructured to suit to their qualifications, again is a matter which the authorities would address subject to pragmatics; a Grievance Redressal Cell, if created would be of considerable value; it hardly needs to be mentioned that nothing in the impugned Act comes in the way of doing that, since the Government being the guardian of the citizens has parens patriae power even de hors the Act; these observations will take care of the apprehensions expressed by the petitioners.

30. Impugned Act v. Forced Labour:

- (i) *The contention of the Petitioners that the impugned Act compelling the citizens put in Public Service is hit by prohibition of forced labour and therefore falls foul of Articles 21 & 23(1) of the Constitution cannot be accepted. True it is that the Apex Court has given an expansive significance to the term 'forced labour', in the case of People's Union For Democratic Rights v. Union of India [(1982) 3 SCC 235 : AIR 1982 SC 1473] , (Asiad Case). Bhagwati J. added that "where a person provides labour or service to another for remuneration which is less than the minimum wage, the labour or service provided by him clearly falls within the scope and ambit of the words 'forced labour' under Article 23". That the Article prohibits '**bonded labour**', is true; but, the concept as such has different connotations in which case of the petitioners is not covered; the plea of beggar, again is misplaced. 'Begar' as employed in Article 23(1) means a labour or service that is exacted by the State or its instrumentality without giving reasonable*

remuneration for it This is prohibited by the said Article, is undesirable. In this case, admittedly, the Government has fixed a monthly remuneration almost on par with comparable regular recruits gross salary when the minimum fixed as wages under the provisions of Sec. 3 r/w Sec. 5 of Minimum Wages Act, 1948 for this class of health care workers is only Rs. 45,000/- per month.

- (ii) The above apart, Clause (2) of Article 23 in so many words permits the State to impose compulsory service for "public purposes", which expression is wide enough to include not only military or police service but also other social services like the medical services, that too, for a short period of one year and with remuneration & designation. This aspect of the matter was discussed in the Constituent Assembly. Mr. H.V. Kamath had suggested that the phrase "public purpose" be replaced with "national or social purpose", arguing that it has a "wider and a higher, a more comprehensive connotation." The Chief Architect of the Constitution, Dr. Ambedkar replied that the word 'public' was "wide enough to cover both 'national' as well as social CAD Vol. VII, 3rd December, 1948; the phrase "public purpose" was explained by the Apex Court in *State of Bihar v. Kameshwar Singh* [(1952) 1 SCC 528 : AIR 1952 SC 252] , observing:

"whatever furthers the general interests of the community as opposed to the particular interests of the individual must be regarded as a public purpose... **The words "public purpose" used in article 23(2) indicate that the Constitution uses those words in a very large sense.** In the never ending race the law must keep pace with the realities of the social and political evolution of the country as reflected in the Constitution."

- (iii) Justice Krishna Iyer speaking for the Apex Court, in *Jolly George Verghese v. Bank of Cochin*, (*supra*) held that "it is a principle generally recognised in national legal system that, in the event of doubt, the national rule is to be interpreted in accordance with the State's international obligations." Therefore, it is pertinent to note that **the International Covenant on Civil and Political Rights**,

which has been ratified by our nation in 1979, states that "work or service that forms part of normal civil obligations" is not forced labour (Article 8). According to the ICCPR Human Rights Committee, in order to be a normal civil obligation, "the labour in question must, at a minimum, not be an exceptional measure; it must not possess a punitive purpose or effect; and it must be provided for by law in order to serve a legitimate purpose" vide Faure v. Australia [Communication No. 1036/2001, U.N. DOC. CCPR/C/85/D/1036/2001 (2005)] . Even in liberal and advanced constitutional jurisdictions, the compulsory public service is upheld by the Courts. The US Supreme Court in Butler v. Perry [240 US 328 (1916)] , held that a law requiring able-bodied men to perform a reasonable amount on public roads was not in violation of the Thirteenth Amendment of the US Constitution, which prohibits involuntary servitude; the Court reasoned that every individual owed certain duties to the State, such as services in the army, militia, the jury, etc., and that the Amendment did not intend to bar the enforcement of those duties.

- (iv) *The provisions relating to Fundamental Rights guaranteed under Part III of the Constitution have to be viewed keeping in view the Directive Principles of State Policy enshrined in Part IV which impose certain obligations on the State. S.R. DAS J. in Kameshwar Singh, supra, observed "[i]f [...] the State is to give effect to these avowed purposes of our Constitution we must regard as a public purpose all that will be calculated to promote the welfare of the people as envisaged in these directive principles of State policy whatever else that expression may mean." In Minerva Mills, (supra) it is held "The significance of the perception that Parts III and IV together constitute the core of commitment to social revolution and they, together, are the conscience of the Constitution is to be traced to a deep understanding of the scheme of the Indian Constitution. [...] In other words, the Indian Constitution is founded on the bed-rock of the balance between Parts III and IV. To give absolute primacy to one over the other is to disturb the harmony of the Constitution." Therefore, all the Fundamental*

Rights need to be read harmonized the Directive Principles.

31. Impugned Act v. Fundamental Rights of minorities:

- (i) *Learned Sr. Advocate Mr. K.G. Raghavan in his inimitable style made a novel argument that: petitioner institution is established by a Religious Minority Community i.e., Christians; since 1974 its Academic Curriculum/Prospectus, as a pre-condition for admission to medical courses requires the students to execute a bond for serving inter alia in the Rural Community Health Centres recognised by the petitioner CBCI Society; the Fundamental Right of the Minority Community guaranteed under Article 30 of the Constitution is interpreted by the Apex Court as having widest amplitude; petitioners' right to have the services of the candidates (passing out from its institutions) exploited for the benefit of the Community is a part of its Fundamental Right to establish and administer the institution; this right becomes exercisable in its essence only when the objective for which it has set up the institutions reaps fruition i.e., when the candidates after completion of course make their services available to the Christian community not only in the State but outside also; this important right having been curtailed by the impugned Act, the same is liable to be struck down; he hastens to add that unlike the Fundamental Right to profession guaranteed under Article 19(1)(g) which can be restricted under Article 19(2), the Minority Right guaranteed under Article 30(1) does not admit restriction other than the ones enlisted in Tma Pai Foundation Case [(2002) 8 SCC 481] , i.e. only for the purpose of: serving the interest of teachers & the taught, maintaining standards of education in the institutions, preventing mal-administration of institutions and interdicting profiteering; restriction on this important right effected under the impugned Act not having been founded on any of these four factors, unauthorizedly infringes the Minority Right, contended Mr. Raghavan, banking upon the decisions referred to below.*
- (ii) *True it is that, the second petitioner is an unaided religious minority educational institution established and*

administered by Christians; all minority institutions have a host of Fundamental Rights assured under Article 30(1) of the Constitution, is also true; from In re the Kerala Education Bill [AIR 1958 SC 956] , to St. Xavier's College Society [(1974) 1 SCC 717] , Tma Pai Foundation, (supra) to P.A. Inamdar [(2005) 6 SCC 537] , and to Christian Medical College [(2014) 2 SCC 305] , it has been iterated & reiterated by the Apex Court that: the right of minority communities to establish and administer an educational institution of their choice in Article 30(1) gives the right a very wide amplitude; this right must mean to establish real institutions which will effectively serve the needs of the community, and not a mere and pious abstract sentiment; this right cannot be reduced to a mere husk, and it cannot be exercised in vacuo; these rights under Article 30(1) are not subject to restrictions in the manner in which those guaranteed under Article 19 are; these and other such observations show the importance which our Constitution gives to the rights of religious & linguistic minorities; these rights being sacrosanct are guarded by the Courts with zeal and zest, as the survey of judicial precedents shows.

- (iii) *Mr. Raghavan's contention that the law relating to Fundamental Rights of Minority Communities has marched from April to May and now to June of its life and that the rights of the community to have the services of students passing out from their institutions need to be recognized as of necessity, and as a collective corollary to other cognate rights emanating from Article 30(1) is difficult to countenance; the right which the petitioner institution claims is referable to a Pact between the Management and the students, at the time of admission to the course; it has nothing to do with the Minority Rights guaranteed under this Article; a reading from the above decisions does not support too broad a contention so forcefully put forth by Mr. Raghavan; no ruling having even persuasive value nor any opinio juris is brought to the notice of this Court which even remotely promotes such a contention; conceding such a right to the minority community amounts to expanding the scope of Article 30(1) beyond its wide contours as fixed by the Apex Court in a catena of decisions including those referred to*

above; this apart, the contention that the products of Minority Institution should be available for the exclusive use and benefit of the said minority only, has communal overtones; it is vitiated by unconscionability as well; this apart, it militates against the larger public interest which the impugned Act having been enacted to give effect to the Directive Principles, intends to serve.

(iv) *The contention that the minority institutions' right to make exclusive use of the services of its passing out students in terms of the Pact being protected by Article 30(1), the impugned Act falls foul of it, is liable to be rejected also because:*

(a) *the Constitution Bench of the Apex Court in Sr. Xavier's College Society Case, (supra), at para 173 stated as under:*

"The application of the term 'abridge' may not be difficult in many cases but the problem arises acutely in certain types of situations. The important ones are where a law is not a direct restriction or the right but is designed to accomplish another objective and the impact upon the right is secondary or indirect. Measure-which are directed other forms of activities but which have a secondary or indirect or incidental effect Upon the right do not generally abridge a right unless the content of the right is regulated. As we have already said, such measures would include various types of taxes, economic regulations, laws regulating tile wages, measures to promote health and to preserve hygiene and other laws of general application. By hypothesis, the law, taken by itself, is a legitimate one, aimed directly at the control of some other activity. The question is about its secondary impact upon the admitted area of administration of educational institutions. This is especially a problem of determining when the regulation in issue has an effect which constitutes an abridgement of the constitutional right within the meaning of Article 13(2). In other words, in every case, the court must undertake to define and give content to the word 'bridge' in Article 13(2)(1). The question to be asked and answered is whether the particular measure is regulatory or whether it crosses the

zone of permissible regulation and enters the forbidden territory of restrictions or abridgement. So, even if an educational institution established by a religious or linguistic minority does not seek recognition, affiliation or aid, its activity can be regulated in various ways provided the regulations do not take away or abridge the guaranteed right. Regular tax measures, economic regulations, social welfare legislation, wage and hour legislation and similar measures may, of course have some effect upon the right under Article 30(1). But where the burden is the same as that borne by others engaged in different forms of activity, the similar impact on the right seems clearly insufficient to constitute an abridgement...."

- (b) *the Apex Court in All Bihar Christian Schools Association v. State of Bihar [(1988) 1 SCC 206] , at para 9 observed:*

".....Minority institutions may be categorised in three classes, (i) educational institutions which neither seek aid nor recognition from the State, (ii) institutions that seek aid from the State, and (iii) educational institutions which seek recognition but not aid. Minority institutions which fall in the first category are free to administer their institution in the manner they like, the State has no power under the Constitution to place any restriction on their right of administration This does not mean that an unaided minority institution is immune from operation of general laws of the land. A minority institution cannot claim immunity from contract law tax measures, economic regulations, social welfare legislation, labour and industrial laws and similar other measures which are intended to meet the need of the society...."

- (c) *In St. John's Teachers Training Institute v. State of Tamil Nadu [(1993) 3 SCC 595] , it is held that even unaided institutions are not immune from the operations of general laws of the land such as Contract Law, Tax measures, Economic Laws, Social Welfare Legislations, Labour and Industrial Laws and similar other laws which are intended to meet the need of the society. After all,*

the Act prescribes only one short year of compulsory service in public interest i.e., to give effect to the Directive Principles, in tune with international commitment as discussed by the Apex Court in the decisions supra; it is always open to the beneficiaries/parties to the contract to enforce the obligation arising therefrom after the compulsory service period is over; the intervention of new legislation does not impair the contractual rights of these minority institutions qua the students who have made a pact for serving the community post their courses; the enforceability of contractual obligation arguably having been postponed by one year, the rest of the years are free for availment in favour of the minority institutions; there is no cause for panic nor for a hue & cry.

32. Penalty clause in impugned Act v. Rule of Proportionality; manifest arbitrariness:

- (i) *Learned Sr. Advocate Mr. M.R. Naik's contention that the enormity of the penalty amount prescribed under Sec. 6 of the Act falls foul of the 'doctrine of proportionality', is bit difficult to accept; the socio-legal history of the law prescribing compulsory service has already been discussed above; the Apex Court in a few decisions having painfully noted the acute unavailability of medical services in rural and semi-urban areas, has expressed its anguish about the reluctance of medical professionals to render services in rural & difficult areas; even the Parliament and the MCI too have discussed this aspect of the matter; were men/women perfectly rational, so as to act invariably in accordance of an enlightened estimate of consequences, the question of the measure of penalty would present no difficulty; perhaps a draconian simplicity and severity would be perfectly effective; but, they seldom are; several States have already evolved Legislative & Executive Policies prescribing compulsory medical service and fixing heavy sums of penalty for defaulters; with this backdrop of fact matrix, the impugned law having been enacted, Sec. 6 thereof prescribes Rs. 15 lakh as the minimum fine, Rs. 30 lakh being the maximum; it need not be reiterated that the plenary power to enact law includes the power to enact*

coercive provisions for its implementation. The Apex Court in *State of U.P. v. Sukhpal Singh Bal* [(2005) 7 SCC 615] , while dealing with some aspects of penalty has observed

"... Everything which is incidental to the main purpose of a power is contained within the power itself. The power to impose penalty is for the purpose of vindicating the main power which is conferred by the Statute in question....."

- (ii) The Constitution Bench of the Apex Court in *R.K. Dalmia*, (supra) stated that the Legislature understands and correctly appreciates the need of its people; that its laws are directed to problems made manifest by experience. Thomas M Cooley, in his **A TREATISE ON THE CONSTITUTIONAL LIMITATIONS'** (First Edition 1868) Indian Reprint 2005, Hindustan Law Book Company, Calcutta at page 168 stated:

"The rule of law upon this subject appears to be, that, except where the Constitution has imposed limits upon the legislative power, it must be considered as practically absolute, whether it operate according to **natural justice or not** in any particular case. The remedy for **unwise or** oppressive legislation, within constitutional bounds, is by an appeal to the justice and patriotism of the representatives of the people. If this fail, the people in their sovereign capacity can correct the evil; but Courts cannot assume their rights. The judiciary can only arrest the execution of a statute when it conflicts with the constitution. It cannot run a race of opinions upon points of right, reason, and expediency with the law-making power....."

The above proposition may be too broad qua our constitutional jurisprudence; but in matters relating to legislative decisions as to what should be the amount of fine, normally, Courts do not substitute their view for that of the law-maker; a lot of wisdom drawn from experience lies behind the making of the penal provisions for securing compliance to law; viewed from any angle, this case is not the one for judicial intervention.

- (iii) *The Apex Court in Association of Medical Super Speciality Aspirants, (supra) at para 19 has mentioned about the rates of fine fixed by some States and by the Central Government in default of compulsory service; in West Bengal fine amount is Rs. 30 lakh, period of compulsory service being three years; in Tamil Nadu the fine amount is Rs. 50 lakh, the period of compulsory service being two years; for candidates passing out from Armed Forces Medical Colleges, the Central Government has fixed a fine of Rs. 25 lakh, period of compulsory service being five years; in Kerala the minimum liquidated damages (ie., fine amount) is Rs. 20 lakh, the compulsory service period being one year vide Ayishabegum v. State, Laws [(KER) 2018 (3) 105] , in Maharashtra the fine amount is Rs. 25 lakh, the minimum service period being two years vide Vinod Shankar Lal Sharma v. State of Maharashtra [LAWS (BOM) 2012 (11) 33 DB] , in Gujarat, the fine amount is Rs. 20 lakh, the service period being one year; going by these contemporary standards of several States and of the Central Government, it cannot be gainsaid that the fine amount prescribed by Sec. 6 of the impugned Act, ranging between Rs. 15 lakh & Rs. 30 lakh is arbitrary, unreasonable or disproportionate; the problem of acute shortage of medical service to the rural & disadvantaged masses and a manifest reluctance of medical practitioners to serve them eminently justify the size of fine amount, the intent being both, firstly the deterrence against default of compliance and secondly the recompense to the State for the service lost.*
- (iv) *There is some force in the contention Mr. Naik that the award of penalty being imperative on the violation of Sec. 6 per se works out enormous injustice and hardship even to the scrupulous candidates who are disabled from joining compulsory service for reasons beyond their control and not otherwise attributable to them; however, regardless of text of this provision, always there is some discretion left with the authorities to mitigate the hardship within the bounds of law; if there are bona fide reasons for the candidates for not reporting for public duty immediately, reprieve may be granted by way of deferred service or split service as the case may be;*

recovery of fine amount in instalments, of course, with banking rate of interest also mitigate hardship; however, in no case, the candidate shall be permitted to escape from the compulsory service; the Govt, may lay down some guidelines for considering the cases of such candidates deserving grant of reprieve; these observations allay the fears of the scrupulous and sincere candidates.

- (v) *The contention that Sec. 6 vests unbridled & unguided power in the authorities and therefore the same is liable to be shot down on the ground of excessive delegation of power to the executive sans regulatory norms, is again bit difficult to cotton with; true it is, that the impugned Act and the Rules do not in so many words lay down the guidelines as to how the fine amount ranging between the minimum of Rs. 15 Lakh and the maximum of Rs. 30 Lakh is to be determined; but the object, text and context of the provisions of the Act do provide some guidance; it is a settled legal position that the abuse potential of law perse, is not a ground for hanging it to death, especially when it is possible to bring down the extent of likely abuse, to reasonable limits, by judicial techniques; the fears of the petitioners in this regard can be assuaged by creating a High Level Committee inter alia comprising of a legally trained official not below the rank of Deputy Secretary, Dept, of Law, as a participatory body in adjudication of disputes relating to fine amount, and by mandamusing the Govt, to issue guidelines for regulating the exercise of ' arguably ' wide discretion.*

33. Impugned Act, whether creates criminal liability?

- (i) *Petitioners contended that Sec. 6 of the impugned Act has abundant criminal law elements and it is punitive in nature, and therefore, is hit by prohibition of making ex post facto criminal law, as enacted in Article 20(1) of the Constitution; they further contended that the law cannot be made applicable to the candidates who had already secured admission to the medical courses before it came into force; in other words, the impugned Act having penal provision i.e., Sec. 6 applies only to those candidates who join the medical course after it was notified for*

enforcement inasmuch retrospective penal statutes cannot be enacted because of constitutional bar.

- (ii) *A sovereign legislature has the power to enact prospective as well as retrospective law; however, our Constitution enacts some limitations on the legislative power, one such being Article 20(1) which prohibits enactment of ex post facto criminal law; to put it differently, the legislature cannot make an act/omission a crime for the first time and then make that law retrospective to cover such act/omission later; this prohibition is not merely against enacting retroactive law but also against conviction under such law; however, such a prohibition has no application to a civil liability unless the statute makes the failure to discharge such liability an offence vide of *Hathisingh Mfg. Co. v. UOI* [(1960) 3 SCR 528] . Therefore, the statute in question needs to be properly construed before invoking such prohibition; to decide the nature of a statute i.e., whether it is civil law or criminal law, is not an easy task as discussed by Jeremy Bentham in "Limits of Jurisprudence Defined" and in *Salmond's Jurisprudence*; one has to see a host of factors such as the text, context, intent, content & effect of the law in question for determining it's true nature.*
- (iii) *There is no provision in the impugned Act even remotely suggesting that the act of a medical graduate in denying or delaying his service to the public is an ' offence' required to be investigated into by the police, or tried by the criminal Court; the object of the Act is to secure medical candidates for serving in Govt, hospitals; if the legislature intended to prosecute these persons, it would have made the act of escaping from public service a punishable offence by appropriate text; God forbid such a law being made; the Act does not intend to drive the unscrupulous doctors to prosecution lest it should waste medical resources meant for the public at large; thus, the impugned law which does not create a criminal liability cannot be classified as penal law, some coercive elements present therein notwithstanding; this apart, if a genuine doubt arises in the mind of the Court as to whether the statute creates a criminal liability or a civil obligation, it is*

prudent to resolve the same by leaning towards the latter.

- (iv) *How the legislature intends to treat the violators of the impugned Act is expressed by the following text of Sec. 6:*

"6. Penalty:— Whoever contravenes any of the provisions specified in this Act shall be punished with a fine not less than rupees fifteen lakhs but may extend upto rupees thirty lakhs

The Apex Court in Sukhpal Singh Bal supra observed:

"penalty is a slippery word and it has to be understood in the context in which it is used in a given statute. A penalty may be the subject matter of a breach of statutory duty or it may be the subject matter of a complaint. In ordinary parlance, the proceedings may cover penalties for avoidance of civil liabilities which do not constitute offences against the State. This distinction is responsible for any enactment intended to protect public revenue. Thus, all penalties do not flow from an offence as is commonly understood but all offences lead to a penalty. Whereas, the former is a penalty which flows from a disregard of statutory provisions, the latter is entailed where there is mens rea and is made the subject matter of adjudication"

- (v) *The absence of the ingredient of a traditional crime namely mens rea such as guilty mind, culpable negligence or the like is yet another factor that strengthens the view that the Act is not a penal legislation; the malus in se and nialus prohibita which traditionally inhere in criminal legislations are conspicuous by their absence in this Act; added to this, the text of the impugned Act is distinct from the standard penal legislations such as Penal Code, 1860 or the like; the hugeness of penalty ranging between Rs. 15,00,000/- and Rs. 30,00,000/- goes to show that the same is not punitive but is in the nature of recompense; this is the written stand of the State in its Memo dated 13.08.2019 which inter alia reads: "....."fine" to be clarified as compensation." May be that with the amount of*

penalty/fine, the Govt, may hire the services of willing doctors who otherwise are not covered by the Act; this penalty itself has some punitive elements may be true; but it is only for ensuring that the candidates are deterred from fleeing away from the public duty and nothing beyond; such deterrence in varying degrees lies in several laws fastening civil obligations, is undeniable; therefore, the attack on the Act founded on the ground of ex post facto, criminal law, fails.

34. Whether the Act imposing civil liability is retroactive in operation?

- (i) *The contention that the impugned Act is prospective in operation and in any event it needs to be so construed for saving it from being struck down as being manifestly arbitrary, has some force; there is a strong presumption that all statutes creating rights & obligations are prospective in operation since ordinarily the vested rights of the citizens are not intended to be altered to their detriment. Retroactive legislation even in civil matters is looked upon with disfavour because of its tendency to be unjust and unreasonable; even in the absence of constitutional provisions, unlike in the case of penal law, statute with but few exceptions should be construed so that they shall have only prospective operation; indeed, there is a strong presumption that the legislature intended its enactments to be effective only in futuro, in the absence of a clear indication to the contra; authorities on statutory construction like Earl T. Crawford suggest that if perchance any reasonable doubt exists in this regard, it should be resolved in favour of prospective operation unless its language must imperatively and clearly require the contrary; as a general rule, a statute expressed in general terms and in the present tense will be given prospective effect and considered applicable to conditions coming into existence subsequent to its enactment even though such conditions were not actually known at the time of enactment.*
- (ii) *The rule of prospectivity of statutes is founded on the proposition that since every citizen is presumed to know the law and to enter into business engagements in*

accordance with its provisions, it would be unjust, even where the legislature has the power to enact a law with retroactive effect, to allow the enactment to operate in retrospect, unless it is very clear that the contra is the legislative purpose; every statute, it has been said, which takes away or impairs vested rights acquired under existing laws or attaches a new disability in respect of transactions or considerations already passed, must be presumed, out of respect to the Legislature, to be intended not to have a retrospective operation, vide: People v. Dilliard [298 N.Y.S 296, 302, 252, Ap. Div 125] ,; our Apex Court in National Agricultural Co-Op Marketing Federation of India v. Union of India [(2003) 5 SCC 23] , observed:

"The retrospectivity is liable to be decided on a few touch stones such as: (i) the words used must be expressly provided or clearly implied retrospective operation; (ii) the retrospectivity must be reasonable and not excessive or harsh] otherwise it runs the risk of being struck down as unconstitutional; (iii) where the legislation is Introduced to overcome a judicial decision, the power cannot be used to subvert the decision without removing the statutory basis of the decision. There is no fixed formula for the expression of legislative intent to give retrospectivity to an enactment..."

- (iii) *There is a lot of force in the contention of the petitioners that all they had already joined the medical courses before the impugned law was conceived in or enacted; many of them have organized the financial and other resources for prosecuting the course of studies keeping in view that they would come out of the campus and enter the free market soon after accomplishment of the course as prescribed by the MCI Regulations; many of them might have had the idea of prosecuting higher studies with the legal regime that obtained prior to enactment of the impugned Act; may be there are cases that metaphorically fit into 'beg, borrow & steal' for gaining entry to the campus; there is also force in the argument that to some extent, the impugned Act has affected their 'choice' post facto; had they known that such a law was in the offing, they would have taken an 'informed decision'*

as to whether they should have entered medical course or not. Thus, the application of the Act to all such candidates would mete out enormous injustice and hardship and all this justifies their submission that the impugned Act is and be construed as being prospective in operation, than to risk its validity on the ground of 'manifest arbitrariness', as expounded by the Apex Court in the case of Shayara Bano v. Union of India [(2017) 9 SCC 1] . This appears to be the stand of the State in its letter dated 30.08.2019 infra.

35. Whether NIMHANS is a University qua the impugned Act?

The contention of Learned Counsel Mr. P.S. Rajagopal that Act cannot be applied to the candidates who having been duly admitted to medical courses in the NIMHANS at Bengaluru come out with value addition, has some force. Sec. 2(g) of the impugned Act defines the University to mean 'a University established by law in the State or a University declared as deemed University under the UGC Act'. The Legislature has power to define a word even artificially, either extensively or restrictively. When a word is defined to 'mean' such & such, the definition is prima facie restrictive and needs to be treated as exhaustive vide Inland Revenue Commissioner v. Joiner [(1975) 3 All ER 1050.] , at 1061. It cannot be disputed that the definition of 'University' given under Section 2(g) of the impugned Act falls in this category and therefore suffice it to say, that the NIMHANS was a society registered under the Karnataka Societies Registration Act, 1960 on 27.12.1974; now it is a body corporate constituted under Sec. 4 of The National Institute of Mental Health and Neuro-Sciences, Bengaluru Act, 2012. There is nothing either in the impugned Act or under the NIMHANS Act to suggest that the said body corporate answers the definition of University under Section 2(g) of the impugned Act. Consequently, the provisions of Section 4 & 5 of the impugned Act do not apply to the candidates accomplishing the courses in NIMHANS. However, this does not mean that they are exempted from the provisions of Section 3 of the Act.

36. Government letter offering some reprieve:

- (i) On 28.08.2019, all these matters having been heard and reserved, were posted for pronouncement of judgment this afternoon; the Learned Addl. Advocate General Sri Sandesh Chouta on the forenoon of this day sought for further hearing, by placing on record a Government Letter dated 30.08.2019 (approved by the Principal Secretary of the Department); the content portion of the same reads as under:

"The original Act i.e., "The Karnataka Compulsory Service by Candidates Completed Medical Courses Act, 2012" came into force on 3/06/2015 and the amendment Act i.e. "The Karnataka Compulsory Service by Candidates Completed Medical Courses (Amendment) Act, 2017" came into force on 3/06/2017

The original Act covered all candidates who were doing their medical course/post graduate medical course/super specialty graduate course as on 3/06/2015.

However in view of the conditional interim order dated 6/10/2015, the candidates have not undergone the mandatory service.

Looking into the workability of the Act and the object which it seeks to achieve, the State proposes (without prejudice to its contention in support of the vires of the Act) that even if the Act is made applicable for candidates who had taken their admission post the commencement of the Act i.e., 3/06/2015 (i.e. candidates would pass out in the year 2020-21), the object which the Act seeks to achieve will be achieved. This would also satisfy the petitioners before the court since most of the petitioners (if not all) would have completed their course well before this cut of period of 2020-21.

Proposal/concession given by the State Government would not inure to the benefit to such of the candidates who have already opted and paid penalty/compensation in lieu of not undergoing mandatory service.

However if for any reason the petitioners and similar placed candidates agree to mandatorily serve the State, even for 6 months, the State would endeavor to commence the process of counseling

and post the candidates for compulsory service accordingly.”

- (ii) *Apparently, going by its text and context, the above letter not being a ' Government Order ' as rightly submitted by Learned ASG Mr. Shashikantha may or may not proprio vigor create any right in favour of the candidates. However, the proposal in the letter is only an expression of Government's intent of granting some reprieve to the deserving candidates who may make use of it, in accordance with law. Suffice it to say that, the legality aspects of the said letter have not been gone into by this Court; whether such a letter has legal efficacy and whether it fits into the "REMOVAL OF DIFFICULTY" clause enacted in the impugned Act, are a matter for consideration, but not in this case.*

(Emphasis supplied)

The coordinate Bench clearly holds that imposition of compulsory service does not take away or infringe the fundamental right of petitioners' right to practice. Though the judgment was rendered *qua* the Indian Medical Council Act, 1956, the issue regarding legislative competence is the same; the contentions advanced are the same and, therefore what is answered by the co-ordinate Bench equally applies to the contentions that are now repeated in the case at hand. I am in respectful and complete agreement with what is considered and rendered by the co-ordinate Bench in the case of ***BUSHRA ABDUL ALEEM***. Therefore, I decline to accept the

contention that the State lacks legislative competence and the Rules should be set aside on the ground of it being violative of Article 19(1)(g) of the Constitution of India. The issue is answered against the petitioners.

ISSUE NO.2:

(ii) Whether 2012 Act is hit by repugnancy qua NMC Act, 2019?

10. The contention of the learned senior counsel in unison is that the Act of 2012 is repugnant to NMC Act. The reasons to contend so are that the NMC Act is a subsequent Act which prescribes entrance examination called NEET at the undergraduate, postgraduate and super speciality levels. The purport of having NEET is to ensure uniformity in medical admission as well as practice. It is the submission that the co-ordinate Bench in **BUSHRA ABDUL ALEEM** or any other judgment considering the issue did not go into the question of repugnancy earlier. The further submission is that the State Act restricts opportunities to students of Karnataka for appearing postgraduate NEET examination

immediately after completion of the course whereas most of the students of other States who do not have rural service and are medical graduates are given the definite advantage over the students from Karnataka to pursue their career further. The State Act, it is contended that, is repugnant insofar as it disturbs uniformity in qualifying to postgraduate NEET examination. On these submissions, the learned senior counsel would contend that there is vast difference between the IMC Act and the NMC Act.

11. Before embarking upon consideration of these submissions, I deem it appropriate to notice Articles of the Constitution of India and judgments rendered by the Apex Court on the issue of repugnancy. List-I of Seventh Schedule is the Union List which empowers the Parliament to make laws of subjects coming under the list. Entry 66 of List-I of the seventh Schedule reads as follows:

"66. Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions."

(Emphasis supplied)

Entry-66 empowers the Parliament to determine the standards in institutions of higher education or research and scientific and technical institutions. The Indian Medical Council Act, 1956 was framed in exercise of powers as aforesaid. The NMC Act, 2019 repeals and replaces the IMC Act. Therefore, power is traceable to Entry-66 of List-I of the Seventh Schedule to the Constitution.

12. The Act of 2012 is promulgated by the State Government. List-II of the Seventh Schedule is the State list where the State is empowered to make laws of the items enumerated in the said list. List-III is the concurrent list where both the Parliament and the State Legislature has the power to make laws except that it cannot run counter to what is made by the Parliament under List-I. Entry-25 of the concurrent list reads as follows:

"25. Education, including technical education, medical education and Universities, subject to the provisions of Entries 63, 64, 65 and 66 of List-I; vocational and technical training of labour."

(Emphasis supplied)

Entry 25 empowers the State to regulate education including technical education, medical education and Universities subject to

the provisions of entries 63, 64, 65 and 66 of List-I. Therefore, the Constitution itself places a bar to any enactment by the State that could run counter to entries in List-I. Article 254 of the Constitution of India reads as follows:

"254. Inconsistency between laws made by Parliament and laws made by the Legislatures of States.—

(1) If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, subject to the provisions of clause (2), the law made by Parliament, whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law, shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void.

(2) Where a law made by the Legislature of a State with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of such State shall, if it has been reserved for the consideration of the President and has received his assent, prevail in that State:

Provided that nothing in this clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of the State."

Article 254 mandates that in the event of inconsistencies of the laws made by Parliament and the laws made by the State Legislatures, to the extent they being repugnant would be declared

void. The Apex Court in the case **MODERN DENTAL COLLEGE & RESEARCH CENTRE v. STATE OF M.P.** – (2016) 7 SCC 353 recognizes the power of the State to regulate admission to courses referable to List-III, Entry 25 and not List-I, Entry 66. Therefore, in the light of this finding by the Apex Court, the Act of 2012 is traceable to Entry-25 of List-III. Repugnancy cannot be determined in thin air. The parameters of determination of repugnancy is also dealt with by the Apex Court in plethora of judgments. The Apex Court in the case of **INNNOVENTIVE INDUSTRIES LIMITED v. ICICI BANK AND ANOTHER**⁴ has held as follows:

"42. *In Tika Ramji v. State of U.P. [Tika Ramji v. State of U.P., 1956 SCR 393 : AIR 1956 SC 676] , this Court, after setting out Article 254 of the Constitution, referred in detail to a treatise on the Australian Constitution and to various Australian judgments as follows: (SCR pp. 424-27 : AIR pp. 698-700, paras 27-32)*

"27. Nicholas in his Australian Constitution, 2nd Edn., p. 303, refers to three tests of inconsistency or repugnancy—

(1) There may be inconsistency in the actual terms of the competing statutes (R. v. Brisbane Licensing Court [R. v. Brisbane Licensing Court, (1920) 28 CLR 23 (Aust)]).

(2) Though there may be no direct conflict, a State law may be inoperative because the Commonwealth law, or the

⁴ (2018) 1 SCC 407

award of the Commonwealth Court, is intended to be a complete exhaustive Code (Clyde Engg. Co. Ltd. v. Cowburn [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)]).

(3) Even in the absence of intention, a conflict may arise when both State and Commonwealth seek to exercise their powers over the same subject-matter (Victoria v. Commonwealth [Victoria v. Commonwealth, (1937) 58 CLR 618 (Aust)]; Wenn v. Attorney General (Vict.) [Wenn v. Attorney General (Vict.), (1948) 77 CLR 84 (Aust)].

28. Isaacs, J. in Clyde Engg. Co. Ltd. v. Cowburn [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)] , CLR p. 489 laid down one test of inconsistency as conclusive:

'If, however, a competent legislature expressly or implicitly evinces its intention to cover the whole field, that is a conclusive test of inconsistency where another legislature assumes to enter to any extent upon the same field.'

29. Dixon, J. elaborated this theme in McLean, ex p [McLean, ex p, (1930) 43 CLR 472 (Aust)], CLR p. 483:

'When Parliament of the Commonwealth and Parliament of a State each legislate upon the same subject and prescribe what the rule of conduct shall be, they make laws which are inconsistent, notwithstanding that the rule of conduct is identical which each prescribes, and Section 109 applies. That this is so is settled, at least when the sanctions they impose are diverse. But the reason is that, by prescribing the rule to be observed, the Federal statute shows an intention to cover the subject-matter and provide what the law upon it shall be. If it appeared that the Federal law was intended to be supplementary to or cumulative upon State law, then no inconsistency would be exhibited in imposing the same duties or in inflicting different penalties. The inconsistency does not lie in the mere co-existence of two laws which are susceptible of simultaneous obedience. It depends upon the intention of the paramount legislature to express by its enactment, completely, exhaustively, or exclusively, what shall be the law governing the particular conduct or matter to which its attention is directed. When a Federal statute discloses such an intention, it is

inconsistent with it for the law of a State to govern the same conduct or matter.'

30. To the same effect are the observations of Evatt, J. in *Stock Motor Ploughs Ltd. v. Forsyth* [*Stock Motor Ploughs Ltd. v. Forsyth*, (1932) 48 CLR 128 (Aust)] , CLR p. 147:

'It is now established, therefore, that State and Federal laws may be inconsistent, although obedience to both laws is possible. There may even be inconsistency although each law imposes the very same duty of obedience. These conclusions have, in the main, been reached, by ascribing "inconsistency" to a State law, not because the Federal law directly invalidates or conflicts with it, but because the Federal law is said to "cover the field". This is a very ambiguous phrase, because subject-matters of legislation bear little resemblance to geographical areas. It is no more than a clichè for expressing the fact that, by reason of the subject-matter dealt with, and the method of dealing with it, and the nature and multiplicity of the regulations prescribed, the Federal Authority has adopted a plan or scheme which will be hindered and obstructed if any additional regulations whatever are prescribed upon the subject by any other authority; if, in other words, the subject is either touched or trenched upon by State Authority.'

31. The Calcutta High Court in *G.P. Stewart v. Brojendra Kishore Roy Chaudhury* [*G.P. Stewart v. Brojendra Kishore Roy Chaudhury*, 1939 SCC OnLine Cal 116 : AIR 1939 Cal 628] had occasion to consider the meaning of repugnancy and B.N. Rau, J. who delivered the judgment of the Court observed at AIR p. 632: (SCC OnLine Cal)

'It is sometimes said that, two laws cannot be said to be properly repugnant unless there is a direct conflict between them, as when one says "do" and the other "don't", there is no true repugnancy, according to this view, if it is possible to obey both the laws. For reasons which we shall set forth presently, we think that this is too narrow a test: there may well be cases of repugnancy where both laws say "don't" but in different ways. For example, one law may say, "No person shall sell liquor by retail, that is, in quantities of less than five gallons at a time" and another law may say, "No person shall sell liquor by retail, that is, in quantities of less than ten gallons at a time".

Here, it is obviously possible to obey both laws, by obeying the more stringent of the two, namely the second one; yet it is equally obvious that the two laws are repugnant, for to the extent to which a citizen is compelled to obey one of them, the other, though not actually disobeyed, is nullified.'

The learned Judge then discussed the various authorities which laid down the test of repugnancy in Australia, Canada, and England and concluded at AIR p. 634: (SCC OnLine Cal)

'The principle deducible from the English cases, as from the Canadian cases, seems therefore to be the same as that enunciated by Isaacs, J. in Australian 44 hour case [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)] : if the dominant law has expressly or impliedly evinced its intention to cover the whole field, then a subordinate law in the same field is repugnant and therefore inoperative. Whether and to what extent in a given case, the dominant law evinces such an intention must necessarily depend on the language of the particular law.'

32. Sulaiman, J. in Shyamakant Lal v. Rambhajan Singh [Shyamakant Lal v. Rambhajan Singh, 1939 SCC OnLine FC 3 : (1939) 1 FCR 193] , FCR p. 212 thus laid down the principle of construction in regard to repugnancy: (SCC OnLine FC)

'When the question is whether a Provincial legislation is repugnant to an existing Indian law, the onus of showing its repugnancy and the extent to which it is repugnant should be on the party attacking its validity. There ought to be a presumption in favour of its validity, and every effort should be made to reconcile them and construe both so as to avoid their being repugnant to each other; and care should be taken to see whether the two do not really operate in different fields without encroachment. Further, repugnancy must exist in fact, and not depend merely on a possibility. "Their Lordships can discover no adequate grounds for holding that there exists repugnancy between the two laws in districts of the Province of Ontario where the prohibitions of the Canadian Act are not and may never be in force." (Attorney General for Ontario v. Attorney General for the Dominion [Attorney General for

Ontario v. Attorney General for the Dominion, 1896 AC 348 (PC)]) (AC pp. 369-70)."

(emphasis supplied)

This Court expressly held that the pith and substance doctrine has no application to repugnancy principles for the reason that: (SCR pp. 420-21 : AIR p. 696, para 24)

"24. ... The pith and substance argument also cannot be imported here for the simple reason that, when both the Centre as well as the State Legislatures were operating in the concurrent field, there was no question of any trespass upon the exclusive jurisdiction vested in the Centre under Entry 52 of List I, the only question which survived being whether, putting both the pieces of legislation enacted by the Centre and the State Legislature together, there was any repugnancy, a contention which will be dealt with hereafter."

43. *In Deep Chand v. State of U.P. [Deep Chand v. State of U.P., 1959 Supp (2) SCR 8 : AIR 1959 SC 648] , this Court referred to its earlier judgments in Zaverbhai [Zaverbhai Amaldas v. State of Bombay, (1955) 1 SCR 799 : AIR 1954 SC 752 : 1954 Cri LJ 1822] and Tika Ramji [Tika Ramji v. State of U.P., 1956 SCR 393 :AIR 1956 SC 676] and held: (Deep Chand case [Deep Chand v. State of U.P., 1959 Supp (2) SCR 8 : AIR 1959 SC 648] , SCR p. 43 : AIR p. 665, para 29)*

"29. ... Repugnancy between two statutes may thus be ascertained on the basis of the following three principles:

(1) Whether there is direct conflict between the two provisions;

(2) Whether Parliament intended to lay down an exhaustive code in respect of the subject-matter replacing the Act of the State Legislature; and

(3) Whether the law made by Parliament and the law made by the State Legislature occupy the same field."

44. *In Ukha Kolhe v. State of Maharashtra [Ukha Kolhe v. State of Maharashtra, (1964) 1 SCR 926 : AIR 1963 SC 1531 : (1963) 2 Cri LJ 418] , this Court found that Sections 129-A and 129-B did not repeal in its entirety an existing law contained in Section 510 of the Code of Criminal Procedure in its application to offences under Section 66 of the Bombay*

Prohibition Act. It was held that Sections 129-A and 129-B must be regarded as enacted in exercise of power conferred by Entries 2 and 12 in the Concurrent List. It was then held: (SCR pp. 953-54 : AIR pp. 1541-42, para 20)

"20. ... It is, difficult to regard Section 129-B of the Act as so repugnant to Section 510 of the Code as to make the latter provision wholly inapplicable to trials for offences under the Bombay Prohibition Act. Section 510 is a general provision dealing with proof of reports of the Chemical Examiner in respect of matters or things duly submitted to him for examination or analysis and report. Section 129-B deals with a special class of reports and certificates. In the investigation of an offence under the Bombay Prohibition Act, examination of a person suspected by a Police Officer or Prohibition Officer of having consumed an intoxicant, or of his blood may be carried out only in the manner prescribed by Section 129-A: and the evidence to prove the facts disclosed thereby will be the certificate or the examination viva voce of the registered Medical Practitioner, or the Chemical Examiner, for examination in the course of an investigation of an offence under the Act of the person so suspected or of his blood has by the clearest implication of the law to be carried out in the manner laid down or not at all. Report of the Chemical Examiner in respect of blood collected in the course of investigation of an offence under the Bombay Prohibition Act otherwise than in the manner set out in Section 129-A cannot therefore be used as evidence in the case. To that extent Section 510 of the Code is superseded by Section 129-B. But the report of the Chemical Examiner relating to the examination of blood of an accused person collected at a time when no investigation was pending, or at the instance not of a Police Officer or a Prohibition Officer remains admissible under Section 510 of the Code."

45. *In M. Karunanidhi v. Union of India [M. Karunanidhi v. Union of India, (1979) 3 SCC 431 : 1979 SCC (Cri) 691 : (1979) 3 SCR 254] , this Court referred to a number of Australian judgments and judgments of this Court and held: (SCC pp. 444-49, paras 24-35 : SCR pp. 272-78)*

"24. It is well settled that the presumption is always in favour of the constitutionality of a statute and the onus lies on the person assailing the Act to prove that it is unconstitutional. *Prima facie*, there does not appear to us to be any inconsistency between the State Act and the Central Acts. Before any repugnancy can arise, the following conditions must be satisfied:

1. That there is a clear and direct inconsistency between the Central Act and the State Act.
2. That such an inconsistency is absolutely irreconcilable.
3. That the inconsistency between the provisions of the two Acts is of such a nature as to bring the two Acts into direct collision with each other and a situation is reached where it is impossible to obey the one without disobeying the other.

25. In Colin Howard's *Australian Federal Constitutional Law*, 2nd Edn. the author while describing the nature of inconsistency between the two enactments observed as follows:

'An obvious inconsistency arises when the two enactments produce different legal results when applied to the same facts.'

26. In *Hume v. Palmer* [*Hume v. Palmer*, (1926) 38 CLR 441 (Aust)] Knox, C.J., observed as follows:

'The rules prescribed by the Commonwealth law and the State law respectively are for present purposes substantially identical, but the penalties imposed for the contravention differ ... In these circumstances, it is I think, clear that the reasons given by my Brothers Issacs and Starke for the decisions of this Court in *Union Steamship Co. of New Zealand v. Commonwealth* [*Union Steamship Co. of New Zealand v. Commonwealth*, (1925) 36 CLR 130 (Aust)] and *Clyde Engg. Co. Ltd. v. Cowburn* [*Clyde Engg. Co. Ltd. v. Cowburn*, (1926) 37 CLR 466 (Aust)] establish that the provisions of the law of the State for the breach of which the appellant was convicted are inconsistent with the law of the Commonwealth within the meaning of Section 109 of the Constitution and are therefore invalid.'

Issacs, J. observed as follows:

'There can be no question that the Commonwealth Navigation Act, by its own direct provisions and the Regulations made under its authority, applies upon construction to the circumstances of the case. It is inconsistent with the State Act in various ways, including (1) general supersession of the regulations of conduct, and so displacing the State regulations, whatever those may be; (2) the jurisdiction to convict, the State law empowering the Court to convict summarily, the Commonwealth law making the contravention an indictable offence, and therefore bringing into operation Section 80 of the Constitution, requiring a jury; (3) the penalty, the State providing a maximum of £50, the Commonwealth Act prescribing a maximum of £100, or imprisonment, or both; (4) the tribunal itself.'

Starke, J. observed as follows:

'It is not difficult to see that the Federal Code would be "disturbed or deranged" if the State Code applied a different sanction in respect of the same act. Consequently the State regulations are, in my opinion, inconsistent with the law of the Commonwealth and rendered invalid by force of Section 109 of the Constitution.'

27. In a later case of the Australian High Court in Mclean, ex p [McLean, ex p, (1930) 43 CLR 472 (Aust)] Issacs and Starke, JJ. while dwelling on the question of repugnancy made the following observation:

'In Cowburn case [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)] is stated the reasoning for that conclusion and we will now refer to those statements without repeating them. In short, the very same conduct by the same persons is dealt with in conflicting terms by the Commonwealth and State Acts. A Court, seeing that, has no authority to inquire further, or to seek to ascertain the scope or bearing of the State Act. It must simply apply Section 109 of the Constitution, which declares the invalidity pro tanto of the State Act.'

Similarly Dixon, J. observed thus:

'When Parliament of the Commonwealth and Parliament of a State each legislate upon the same subject and prescribe what the rule of conduct shall be, they make laws which are inconsistent, notwithstanding that the rule of conduct is identical which each prescribes, and Section 109 applies. That this is so is settled, at least when the sanctions they impose are diverse: Hume v. Palmer [Hume v. Palmer, (1926) 38 CLR 441 (Aust)] .'

28. *In Zaverbhai Amaldas v. State of Bombay [Zaverbhai Amaldas v. State of Bombay, (1955) 1 SCR 799 : AIR 1954 SC 752 : 1954 Cri LJ 1822] this Court laid down the various tests to determine the inconsistency between two enactments and observed as follows:*

'The important thing to consider with reference to this provision is whether the legislation is "in respect of the same matter". If the later legislation deals not with the matters which formed the subject of the earlier legislation but with other and distinct matters though of a cognate and allied character, then Article 254(2) will have no application. The principle embodied in Section 107(2) and Article 254(2) is that when there is legislation covering the same ground both by the Centre and by the Province, both of them being competent to enact the same, the law of the Centre should prevail over that of the State.

It is true, as already pointed out, that on a question under Article 254(1) whether an Act of Parliament prevails against a law of the State, no question of repeal arises; but the principle on which the rule of implied repeal rests, namely, that if subject-matter of the later legislation is identical with that of the earlier, so that they cannot both stand together, then the earlier is repealed by the later enactment, will be equally applicable to a question under Article 254(2) whether the further legislation by Parliament is in respect of the same matter as that of the State law.'

29. *In Tika Ramji v. State of U.P. [Tika Ramji v. State of U.P., 1956 SCR 393 : AIR 1956 SC 676] while dealing with the question of repugnancy between a Central and a State enactment, this Court relied on the observations of Nicholas in his Australian Constitution, 2nd Edn. p. 303, where three tests*

of inconsistency or repugnancy have been laid down and which are as follows: (SCR pp. 424-25 : AIR p. 698, para 27)

'(1) There may be inconsistency in the actual terms of the competing statutes (R. v. Brisbane Licensing Court [R. v. Brisbane Licensing Court, (1920) 28 CLR 23 (Aust)]).

(2) Though there may be no direct conflict, a State law may be inoperative because the Commonwealth law, or the award of the Commonwealth Court, is intended to be a complete exhaustive code (Clyde Engg. Co. Ltd. v. Cowburn [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)]).

(3) Even in the absence of intention, a conflict may arise when both State and Commonwealth seek to exercise their powers over the same subject-matter [Victoria v. Commonwealth [Victoria v. Commonwealth, (1937) 58 CLR 618 (Aust)] ; Wenn v. Attorney General (Vict.) [Wenn v. Attorney General (Vict.), (1948) 77 CLR 84 (Aust)]].'

This Court also relied on the decisions in Hume v. Palmer [Hume v. Palmer, (1926) 38 CLR 441 (Aust)] as also Mclean, ex p [McLean, ex p, (1930) 43 CLR 472 (Aust)] referred to above. This Court also endorsed the observations of Sulaiman, J. in Shyamakant Lal v. Rambhajan Singh [Shyamakant Lal v. Rambhajan Singh, 1939 SCC OnLine FC 3 : (1939) 1 FCR 193] where Sulaiman, J. observed as follows: (SCC OnLine FC)

'When the question is whether a Provincial legislation is repugnant to an existing Indian law, the onus of showing its repugnancy and the extent to which it is repugnant should be on the party attacking its validity. There ought to be a presumption in favour of its validity, and every effort should be made to reconcile them and construe both so as to avoid their being repugnant to each other, and care should be taken to see whether the two do not really operate in different fields without encroachment. Further, repugnancy must exist in fact, and not depend merely on a possibility.'

30. In Om Parkash Gupta v. State of U.P. [Om Parkash Gupta v. State of U.P., 1957 SCR 423 : AIR 1957 SC 458 : 1957

Cri LJ 575] where this Court was considering the question of the inconsistency between the two Central enactments, namely, the Penal Code, 1860 and the Prevention of Corruption Act held that there was no inconsistency and observed as follows: (SCR p. 437 : AIR p. 464, para 29)

'29. It seems to us, therefore, that the two offences are distinct and separate. This is the view taken in Amarendra Nath Roy v. State [Amarendra Nath Roy v. State, 1955 SCC OnLine Cal 2 : AIR 1955 Cal 236] and we endorse the opinion of the learned Judges, expressed therein. Our conclusion, therefore, is that the offence created under Section 5(1)(c) of the Prevention of Corruption Act is distinct and separate from the one under Section 405 of the Penal Code, 1860 and, therefore, there can be no question of Section 5(1)(c) repealing Section 405 of the Penal Code, 1860. If that is so, then, Article 14 of the Constitution can be no bar.'

31. Similarly in Deep Chand v. State of U.P. [Deep Chand v. State of U.P., 1959 Supp (2) SCR 8 : AIR 1959 SC 648] this Court indicated the various tests to ascertain the question of repugnancy between the two statutes and observed as follows: (SCR p. 43 : AIR p. 665, para 29)

'29. ... Repugnancy between two statutes may thus be ascertained on the basis of the following three principles:

- (1) Whether there is direct conflict between the two provisions;*
- (2) Whether Parliament intended to lay down an exhaustive code in respect of the subject-matter replacing the Act of the State Legislature; and*
- (3) Whether the law made by Parliament and the law made by the State Legislature occupy the same field.'*

32. In Megh Raj v. Allah Rakhia [Megh Raj v. Allah Rakhia, 1942 SCC OnLine FC 6 : AIR 1942 FC 27] where Varadachariar, J. speaking for the Court pointed out that whereas in Australia a provision similar to Section 107 of the Government of India Act, 1935 existed in the shape of Section 109 of the Australian Constitution, there was no corresponding provision in the American Constitution. Similarly, the Canadian

cases have laid down a principle too narrow for application to Indian cases. According to the learned Judge, the safe rule to follow was that where the paramount legislation does not purport to be exhaustive or unqualified there is no inconsistency and in this connection observed as follows: (SCC OnLine FC)

'... The principle of that decision is that where the paramount legislation does not purport to be exhaustive or unqualified, but itself permits or recognises other laws restricting or qualifying the general provision made in it, it cannot be said that any qualification or restriction introduced by another law is repugnant to the provision in the main or paramount law. ...

The position will be even more obvious, if another test of repugnancy which has been suggested in some cases is applied, namely, whether there is such an inconsistency between the two provisions that one must be taken to repeal the other by necessary implication.'

In State of Orissa v. M.A. Tulloch & Co. [State of Orissa v. M.A. Tulloch & Co., (1964) 4 SCR 461 : AIR 1964 SC 1284] Ayyangar, J. speaking for the Court observed as follows: (SCR p. 477 : AIR pp. 1291-92, para 15)

'15. ... Repugnancy arises when two enactments both within the competence of the two legislatures collide and when the Constitution expressly or by necessary implication provides that the enactment of one legislature has superiority over the other then to the extent of the repugnancy the one supersedes the other. But two enactments may be repugnant to each other even though obedience to each of them is possible without disobeying the other. The test of two legislations containing contradictory provisions is not, however, the only criterion of repugnancy, for if a competent legislature with a superior efficacy expressly or impliedly evinces by its legislation an intention to cover the whole field, the enactments of the other legislature whether passed before or after would be overborne on the ground of repugnance. Where such is the position, the inconsistency is demonstrated not by a detailed comparison of provisions of the two statutes but by the mere existence of the two pieces of legislation.'

34. In *T.S. Balliah v. ITO* [*T.S. Balliah v. ITO*, (1969) 3 SCR 65 : AIR 1969 SC 701] it was pointed out by this Court that before coming to the conclusion that there is a repeal by implication, the Court must be satisfied that the two enactments are so inconsistent that it becomes impossible for them to stand together. In other words, this Court held that when there is a direct collision between the two enactments which is irreconcilable then only repugnancy results. In this connection, the Court made the following observations: (SCR pp. 68-69 & 72-73 : AIR pp. 703-04 & 706, paras 4 & 6)

'4. ... Before coming to the conclusion that there is a repeal by implication, the Court must be satisfied that the two enactments are so inconsistent or repugnant that they cannot stand together and the repeal of the express prior enactment must flow from necessary implication of the language of the later enactment. It is therefore necessary in this connection to scrutinise the terms and consider the true meaning and effect of the two enactments. ...The provisions enacted in Section 52 of the 1922 Act do not alter the nature or quality of the offence enacted in Section 177 of the Penal Code, 1860 but it merely provides a new course of procedure for what was already an offence. In a case of this description the new statute is regarded not as superseding, nor repealing by implication the previous law, but as cumulative.

6. ... A plain reading of the section shows that there is no bar to the trial or conviction of the offender under both enactments but there is only a bar to the punishment of the offender twice for the same offence. In other words, the section provides that where an act or omission constitutes an offence under two enactments, the offender may be prosecuted and punished under either or both the enactments but shall not be liable to be punished twice for the same offence.'

35. On a careful consideration, therefore, of the authorities referred to above, the following propositions emerge:

- 1. That in order to decide the question of repugnancy it must be shown that the two enactments contain inconsistent and**

Article 254 speaks of repugnancy not merely of a statute as a whole but also "any provision" thereof.

51.4. Since there is a presumption in favour of the validity of statutes generally, the onus of showing that a statute is repugnant to another has to be on the party attacking its validity. It must not be forgotten that that every effort should be made to reconcile the competing statutes and construe them both so as to avoid repugnancy—care should be taken to see whether the two do not really operate in different fields qua different subject-matters.

51.5. Repugnancy must exist in fact and not depend upon a mere possibility.

51.6. Repugnancy may be direct in the sense that there is inconsistency in the actual terms of the competing statutes and there is, therefore, a direct conflict between two or more provisions of the competing statutes. In this sense, the inconsistency must be clear and direct and be of such a nature as to bring the two Acts or parts thereof into direct collision with each other, reaching a situation where it is impossible to obey the one without disobeying the other. This happens when two enactments produce different legal results when applied to the same facts.

51.7. Though there may be no direct conflict, a State law may be inoperative because the Parliamentary law is intended to be a complete, exhaustive or exclusive code. In such a case, the State law is inconsistent and repugnant, even though obedience to both laws is possible, because so long as the State law is referable to the same subject-matter as the Parliamentary law to any extent, it must give way. One test of seeing whether the subject-matter of the Parliamentary law is encroached upon is to find out whether the Parliamentary statute has adopted a plan or scheme which will be hindered and/or obstructed by giving effect to the State law. It can then be said that the State law trenches upon the Parliamentary statute. Negatively put, where Parliamentary legislation does not purport to be

exhaustive or unqualified, but itself permits or recognises other laws restricting or qualifying the general provisions made in it, there can be said to be no repugnancy.

51.8. A conflict may arise when Parliamentary law and State law seek to exercise their powers over the same subject-matter. This need not be in the form of a direct conflict, where one says "do" and the other says "don't". Laws under this head are repugnant even if the rule of conduct prescribed by both laws is identical. The test that has been applied in such cases is based on the principle on which the rule of implied repeal rests, namely, that if the subject-matter of the State legislation or part thereof is identical with that of the Parliamentary legislation, so that they cannot both stand together, then the State legislation will be said to be repugnant to the Parliamentary legislation. However, if the State legislation or part thereof deals not with the matters which formed the subject-matter of Parliamentary legislation but with other and distinct matters though of a cognate and allied nature, there is no repugnancy.

51.9. Repugnant legislation by the State is void only to the extent of the repugnancy. In other words, only that portion of the State's statute which is found to be repugnant is to be declared void.

51.10. The only exception to the above is when it is found that a State legislation is repugnant to Parliamentary legislation or an existing law if the case falls within Article 254(2), and Presidential assent is received for State legislation, in which case State legislation prevails over Parliamentary legislation or an existing law within that State. Here again, the State law must give way to any subsequent Parliamentary law which adds to, amends, varies or repeals the law made by the Legislature of the State, by virtue of the operation of Article 254(2) proviso."

(Emphasis supplied)

Later, the Apex Court elaborating the law in the case of **WEST UTTAR PRADESH SUGAR MILLS ASSOCIATION AND OTHERS v. STATE OF UTTAR PRADESH AND OTHERS**⁵ has held as follows:

"13. *Relevant extracts and observations in Tika Ramji [Tika Ramji v. State of U.P., AIR 1956 SC 676 : 1956 SCR 393 : 1956 SCJ 625] :*

"24. It is clear, therefore, that all the Acts and the notifications issued thereunder by the Centre in regard to sugar and sugarcane were enacted in exercise of the concurrent jurisdiction. The exercise of such concurrent jurisdiction would not deprive the Provincial Legislatures of similar powers which they had under the Provincial Legislative List and there would, therefore, be no question of legislative incompetence qua the Provincial Legislatures in regard to similar pieces of legislation enacted by the latter. The Provincial Legislatures as well as the Central Legislature would be competent to enact such pieces of legislation and no question of legislative competence would arise. It also follows as a necessary corollary that, even though sugar industry was a controlled industry, none of these Acts enacted by the Centre were in exercise of its jurisdiction under Entry 52 of List I. Industry in the wide sense of the term would be capable of comprising three different aspects: (1) raw materials which are an integral part of the industrial process, (2) the process of manufacture or production, and (3) the distribution of the products of the industry. The raw materials would be goods which would be comprised in Entry 27 of List II. The process of manufacture or production would be comprised in Entry 24 of List II except where the industry was a controlled industry when it would fall within Entry 52 of List I and the products of the industry would also be comprised in Entry 27 of List II except where they were the products of the controlled industries when they would fall within Entry 33 of List III. This being the position, it cannot be said that the legislation which was enacted by the Centre in regard to sugar and sugarcane

⁵ (2020) 9 SCC 548

could fall within Entry 52 of List 1. Before sugar industry became a controlled industry, both sugar and sugarcane fell within Entry 27 of List II but, after a declaration was made by Parliament in 1951 by Act 65 of 1951, sugar industry became a controlled industry and the product of that industry viz. sugar was comprised in Entry 33 of List III taking it out of Entry 27 of List II. Even so, the Centre as well as the Provincial Legislatures had concurrent jurisdiction in regard to the same. In no event could the legislation in regard to sugar and sugarcane be thus included within Entry 52 of List 1. The pith and substance argument also cannot be imported here for the simple reason that, when both the Centre as well as the State Legislatures were operating in the concurrent field, there was no question of any trespass upon the exclusive jurisdiction vested in the Centre under Entry 52 of List 1, the only question which survived being whether, putting both the pieces of legislation enacted by the Centre and the State Legislature together, there was any repugnancy, a contention which will be dealt with hereafter.

25. A more effective answer is furnished by comparison of the terms of U.P. Act 1 of 1938 with those of the impugned Act. Whereas U.P. Act 1 of 1938 covered both sugarcane and sugar within its compass, the impugned Act was confined only to sugarcane, thus relegating sugar to the exclusive jurisdiction of the Centre thereby eliminating all argument with regard to the encroachment by the U.P. State Legislature on the field occupied by the Centre. U.P. Act 1 of 1938 provided for the establishment of a Sugar Control Board, the Sugar Commissioner, the Sugar Commission and the Cane Commissioner. The impugned Act provided for the establishment of a Sugarcane Board. The Sugar Commissioner was named as such but his functions under Rules 106 and 107 were confined to getting information which would lead to the regulation of the supply and purchase of sugarcane required for use in sugar factories and had nothing to do with the production or the disposal of sugar produced in the factories. The Sugar Commission was not provided for but the Cane Commissioner was the authority invested with all the powers in regard to the supply and purchase of sugarcane. The Inspectors appointed under U.P. Act 1 of 1938 had no doubt powers to examine records maintained at the factories showing the amount of sugarcane purchased and crushed but they were there with a view to check the production or manufacture of sugar whereas

the Inspectors appointed under the impugned Act were, by Rule 20, to confine their activities to the regulation of the supply and purchase of sugarcane without having anything to do with the further process of the manufacture or production of sugar. Chapter 3 of U.P. Act 1 of 1938, dealing with the construction and extension of sugar factories, licensing of factories for crushing sugarcane, fixing of the price of sugar, etc. was deleted from the impugned Act. The power of licensing new industrial undertakings was thereafter exercised by the Centre under Act 65 of 1951 as amended by Act 26 of 1953, vide Sections 11(a), 12 and 13, and the power of fixation of price of sugar was exercised by the Centre under Section 3 of Act 24 of 1946 by issuing the Sugar (Control) Order, 1950. Even the power reserved to the State Government to fix minimum prices of sugarcane under Chapter V of U.P. Act 1 of 1938 was deleted from the impugned Act the same being exercised by the Centre under Clause 3 of the Sugar and Gur (Control) Order, 1950, issued by it in exercise of the powers conferred under Section 3 of Act 24 of 1946. The prices fixed by the Centre were adopted by the State Government and the only thing which the State Government required under Rule 94 was that the occupier of a factory or the purchasing agent should cause to be put up at each purchasing centre a notice showing the minimum price of cane fixed by the Government meaning thereby the centre. The State Government also incorporated these prices which were notified by the Centre from time to time in the forms of the agreements which were to be entered between the cane growers, the cane growers cooperative societies, the factories and their purchasing agents for the supply and purchase of sugarcane as provided in the U.P. Sugarcane Supply and Purchase Order, 1954. The only provision which was retained by the State Government in the impugned Act for the protection of the sugarcane growers was that contained in Section 17 which provided for the payment of price of sugarcane by the occupier of a factory to the sugarcane growers. It could be recovered from such occupier as if it were an arrear of land revenue. This comparison goes to show that the impugned Act merely confined itself to the regulation of the supply and purchase of sugarcane required for use in sugar factories and did not concern itself at all with the controlling or licensing of the sugar factories, with the production or manufacture of sugar or with the trade and commerce in, and the production, supply and distribution of, sugar. If that was so, there was no question

whatever of its trenching upon the jurisdiction of the Centre in regard to sugar industry which was a controlled industry within Entry 52 of List I and the U.P. Legislature had jurisdiction to enact the law with regard to sugarcane and had legislative competence to enact the impugned Act.

26. It was next contended that the provisions of the impugned Act were repugnant to the provisions of Act 65 of 1951 and Act 10 of 1955 which were enacted by Parliament and, therefore, the law made by Parliament should prevail and the impugned Act should, to the extent of the repugnancy, be void. Before dealing with this contention it is necessary to clear the ground by defining the exact connotation of the term "repugnancy". Repugnancy falls to be considered when the law made by Parliament and the law made by the State Legislature occupy the same field because, if both these pieces of legislation deal with separate and distinct matters though of a cognate and allied character, repugnancy does not arise. ...

We are concerned here with the repugnancy, if any, arising by reason of both Parliament and the State Legislature having operated in the same field in respect of a matter enumerated in the Concurrent List i.e. foodstuffs comprised in Entry 33 of List III....

31. ... The Calcutta High Court in G.P. Stewart v. Brojendra Kishore Roy Choudhury [G.P. Stewart v. Brojendra Kishore Roy Choudhury, 1939 SCC OnLine Cal 116 : AIR 1939 Cal 628] had occasion to consider the meaning of repugnancy and B.N. Rau, J. who delivered the judgment of the Court observed at p. 632:

'It is sometimes said that two laws cannot be said to be properly repugnant unless there is a direct conflict between them, as when one says "do" and the other "don't", there is no true repugnancy, according to this view, if it is possible to obey both the laws. For reasons which we shall set forth presently, we think that this is too narrow a test: there may well be cases of repugnancy where both laws say "don't" but in different ways. For example, one law may say, 'No person shall sell liquor by retail, that is, in quantities of less than five gallons at a time' and another law may say, 'No person shall sell liquor by retail, that is, in quantities of less than ten gallons at a time'. Here, it

is obviously possible to obey both laws, by obeying the more stringent of the two, namely, the second one; yet it is equally obvious that the two laws are repugnant, for to the extent to which a citizen is compelled to obey one of them, the other, though not actually disobeyed, is nullified.'

The learned Judge then discussed the various authorities which laid down the test of repugnancy in Australia, Canada, and England and concluded at p. 634:

'The principle deducible from the English cases, as from the Canadian cases, seems therefore to be the same as that enunciated by Isaacs, J. in the Australian 44 hour case [Clyde Engg. Co. Ltd. v. Cowburn, (1926) 37 CLR 466 (Aust)] if the dominant law has expressly or impliedly evinced its intention to cover the whole field, then a subordinate law in the same field is repugnant and therefore inoperative. Whether and to what extent in a given case, the dominant law evinces such an intention must necessarily depend on the language of the particular law.'

33. In the instant case, there is no question of any inconsistency in the actual terms of the Acts enacted by Parliament and the impugned Act. The only questions that arise are whether Parliament and the State Legislature sought to exercise their powers over the same subject-matter or whether the laws enacted by Parliament were intended to be a complete exhaustive code or, in other words, expressly or impliedly evinced an intention to cover the whole field.

35. Act 10 of 1955 included within the definition of essential commodity foodstuffs which we have seen above would include sugar as well as sugarcane. This Act was enacted by Parliament in exercise of the concurrent legislative power under Entry 33 of List III as amended by the Constitution (Third Amendment) Act, 1954. Foodcrops were there defined as including crops of sugarcane and Section 3(1) gave the Central Government powers to control the production, supply and distribution of essential commodities and trade and commerce therein for maintaining or increasing the supplies thereof or for securing their equitable distribution and availability at fair prices. Section 3(2)(b) empowered the Central Government to provide inter alia for bringing under cultivation any waste or

arable land whether appurtenant to a building or not for growing thereon of foodcrops generally or specified foodcrops and Section 3(2)(c) gave the Central Government power for controlling the price at which any essential commodity may be bought or sold. These provisions would certainly bring within the scope of Central legislation the regulation of the production of sugarcane as also the controlling of the price at which sugarcane may be bought or sold, and in addition to the Sugar (Control) Order, 1955 which was issued by the Central Government on 27-8-1955, it also issued the Sugarcane (Control) Order, 1955, on the same date investing it with the power to fix the price of sugarcane and direct payment thereof as also the power to regulate the movement of sugarcane.

36. Parliament was well within its powers in legislating in regard to sugarcane and the Central Government was also well within its powers in issuing the Sugarcane (Control) Order, 1955 in the manner it did because all this was in exercise of the concurrent power of legislation under Entry 33 of List III. That, however, did not affect the legislative competence of the U.P. State Legislature to enact the law in regard to sugarcane and the only question which remained to be considered was whether there was any repugnancy between the provisions of the Central legislation and the U.P. State legislation in this behalf. As we have noted above, the U.P. State Government did not at all provide for the fixation of minimum prices for sugarcane nor did it provide for the regulation of movement of sugarcane as was done by the Central Government in Clauses 3 and 4 of the Sugarcane (Control) Order, 1955. The impugned Act did not make any provision for the same and the only provision in regard to the price of sugarcane which was to be found in the U.P. Sugarcane Rules, 1954, was contained in Rule 94 which provided that a notice of suitable size in clear bold lines showing the minimum price of cane fixed by the Government and the rates at which the cane is being purchased by the Centre was to be put up by an occupier of a factory or the purchasing agent as the case may be at each purchasing centre. The price of cane fixed by Government here only meant the price fixed by the appropriate Government which would be the Central Government, under Clause 3 of the Sugarcane (Control) Order, 1955, because in fact the U.P. State Government never fixed the price of sugarcane to be purchased by the factories. Even the provisions in behalf of the agreements contained in Clauses

3 and 4 of the U.P. Sugarcane Regulation of Supply and Purchase Order, 1954, provided that the price was to be the minimum price to be notified by the Government subject to such deductions, if any, as may be notified by the Government from time to time meaning thereby the Central Government, the State Government not having made any provision in that behalf at any time whatever. The provisions thus made by the Sugarcane (Control) Order, 1955, did not find their place either in the impugned Act or the Rules made thereunder or the U.P. Sugarcane Regulation of Supply and Purchase Order, 1954, and the provision contained in Section 17 of the impugned Act in regard to the payment of sugarcane price and recovery thereof as if it was an arrear of land revenue did not find its place in the Sugarcane (Control) Order, 1955. These provisions, therefore, were mutually exclusive and did not impinge upon each other there being thus no trenching upon the field of one legislature by the other. Our attention was drawn to the several provisions contained in the Sugarcane (Control) Order, 1955 and the U.P. Sugarcane Regulation of Supply and Purchase Order, 1954 and the agreements annexed thereto and it was pointed out that they differed in material particulars, the provisions of the latter being more stringent than those of the former. It is not necessary to refer to these provisions in any detail. Suffice it to say that none of these provisions do overlap, the Centre being silent with regard to some of the provisions which have been enacted by the State and the State being silent with regard to some of the provisions which have been enacted by the Centre. There is no repugnancy whatever between these provisions and the impugned Act and the Rules framed thereunder as also the U.P. Sugarcane Regulation of Supply and Purchase Order, 1954 do not trench upon the field covered by Act 10 of 1955. There being no repugnancy at all, therefore, no question arises of the operation of Article 254(2) of the Constitution and no provision of the impugned Act and the Rules made thereunder is invalidated by any provision contained in Act 65 of 1951 as amended by Act 26 of 1953 or Act 10 of 1955 and the Sugarcane (Control) Order, 1955 issued thereunder." (AIR pp. 695-700 & 703-04, paras 24-26 & 31, 33 & 35-36)

(emphasis supplied)

...

...

...

24. Question of repugnancy under Article 254 of the Constitution: concerning laws in List III of the Seventh Schedule of the Constitution of India, where both the

Union and the States have the power to enact a law, the question of repugnancy arises only in a case where there is an actual irreconcilable conflict between the two laws. Inconsistency between the two laws is irreconcilable, then the question of repugnancy arises. It is necessary to find the dominant intention of both the legislatures, partial or incidental coverage of the same area in a different context, and to achieve a different purpose, does not attract the doctrine of repugnancy.

25. In *Rajiv Sarin v. State of Uttarakhand* [*Rajiv Sarin v. State of Uttarakhand*, (2011) 8 SCC 708 : (2011) 4 SCC (Civ) 354] , the Court held: (SCC pp. 721, 723-24, paras 33 & 45)

"33. It is trite law that the plea of repugnancy would be attracted only if both the legislations fall under the Concurrent List of the Seventh Schedule to the Constitution. Under Article 254 of the Constitution, a State law passed in respect of a subject-matter comprised in List III i.e. the Concurrent List of the Seventh Schedule to the Constitution would be invalid if its provisions are repugnant to a law passed on the same subject by Parliament and that too only in a situation if both the laws i.e. one made by the State Legislature and another made by Parliament cannot exist together. In other words, the question of repugnancy under Article 254 of the Constitution arises when the provisions of both laws are completely inconsistent with each other or when the provisions of both laws are absolutely irreconcilable with each other, and it is impossible without disturbing the other provision, or conflicting interpretations resulted into when both the statutes covering the same field are applied to a given set of facts. **That is to say, in simple words, repugnancy between the two statutes would arise if there is a direct conflict between the two provisions and the law made by Parliament and the law made by the State Legislature occupies the same field. Hence, whenever the issue of repugnancy between the law passed by Parliament and of the State Legislature is raised, it becomes quite necessary to examine as to whether the two legislations cover or relate to the same subject-matter or different.**

45. For repugnancy under Article 254 of the Constitution, there is a twin requirement, which is to be fulfilled: firstly, there has to be a "repugnancy" between a Central and State Act; and secondly, the Presidential assent has to be held as being non-existent. The test for determining such repugnancy is indeed to find out the dominant intention of both the legislations and whether such dominant intentions of both the legislations are alike or different. To put it simply, a provision in one legislation in order to give effect to its dominant purpose may incidentally be on the same subject as covered by the provision of the other legislation, but such partial or incidental coverage of the same area in a different context and to achieve a different purpose does not attract the doctrine of repugnancy. In a nutshell, in order to attract the doctrine of repugnancy, both the legislations must be substantially on the same subject."

... Clause (1) of Article 254 of the Constitution gives primacy to Central legislations in case of conflict with State laws whether enacted before or after. The Central law operates only in case of repugnancy and not in a case of mere possibility when such an order might be issued under State law, as opined in *Belsund Sugar Co. Ltd. v. State of Bihar* [*Belsund Sugar Co. Ltd. v. State of Bihar*, (1999) 9 SCC 620] ; *Punjab Dairy Development Board v. Cepham Milk Specialities Ltd.* [*Punjab Dairy Development Board v. Cepham Milk Specialities Ltd.*, (2004) 8 SCC 621] ; *Southern Petrochemical Industries Co. Ltd. v. Electricity Inspector & ETIO* [*Southern Petrochemical Industries Co. Ltd. v. Electricity Inspector & ETIO*, (2007) 5 SCC 447] and *Bharat Hydro Power Corpn. Ltd. v. State of Assam* [*Bharat Hydro Power Corpn. Ltd. v. State of Assam*, (2004) 2 SCC 553]."

(Emphasis supplied)

The Apex Court after complete analysis of the law holds that Clause (1) of Article 254 of the Constitution gives primacy to Central

legislation in case of conflict with the State law. The Central law operates only in case of repugnancy and not in the case of mere possibility of such repugnancy. What would unmistakably emerge from the aforesaid law is that, repugnancy must exist in fact and not depend upon mere possibility. Onus to prove repugnancy is on the party attacking the validity of the statute. Question of repugnancy would not arise if both the legislations partially or independently cover the same area in different context and to achieve different purpose. Repugnancy would arise only if there is direct conflict. In the considered view of this Court, repugnancy would arise only if the field is occupied in its entirety by a law made by the Parliament and the law made by the State Government would seek to percolate into the said law, which by itself was comprehensive.

13. The Apex Court in the case of **TAMIL NADU MEDICAL OFFICERS ASSOCIATION AND OTEHRS v. UNION OF INDIA AND OTHERS**⁶ has held as follows:

"3.3. *There is no question of any conflict of List III Entry 25 and List I Entry 66. The subject of admission to courses is*

⁶ (2021) 6 SCC 568

referable to List III Entry 25 and not List I Entry 66. It is submitted that conflict, if any, can only be between a State law and a Central law both sourced to List III Entry 25. That no such conflict is present in the instant case.

... ..

10. *While considering the aforesaid issues, let us first consider the scope and ambit of List I Entry 66 — legislative competence of the Union in exercise of powers under Schedule VII List I Entry 66 of the Constitution of India.*

10.1. *In Modern Dental College & Research Centre [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1] , a Constitution Bench of this Court again had an occasion to deal with and consider List I Entry 66 and List III Entry 25. After considering a catena of decisions of this Court, more particularly, the decisions of this Court in Gujarat University [Gujarat University v. Krishna Ranganath Mudholkar, AIR 1963 SC 703 : 1963 Supp (1) SCR 112] ; R. Chitrlekha [R. Chitrlekha v. State of Mysore, (1964) 6 SCR 368 : AIR 1964 SC 1823] ; Preeti Srivastava [Preeti Srivastava v. State of M.P., (1999) 7 SCC 120 : 1 SCEC 742]; and Bharati Vidyapeeth v. State of Maharashtra [Bharati Vidyapeeth v. State of Maharashtra, (2004) 11 SCC 755 : 2 SCEC 535] , it is held by this Court that List I Entry 66 is a specific entry having a very specific and limited scope. It is further observed by this Court that it deals with "coordination and determination of standards" in institution of higher education or research as well as scientific and technical institutions. The words "coordination and determination of standards" would mean laying down the said standards. It is observed that thus, when it comes to prescribing the standards for such institutions of higher learning, exclusive domain is given to the Union. The relevant observations are in paras 101 to 105, which read as under : (Modern Dental College & Research Centre case [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1] , SCC pp. 429-432)*

"101. To our mind, List I Entry 66 is a specific entry having a very specific and limited scope. It deals with coordination and determination of standards in institution of higher education or research as well as scientific and

technical institutions. The words "coordination and determination of standards" would mean laying down the said standards. Thus, when it comes to prescribing the standards for such institutions of higher learning, exclusive domain is given to the Union. However, that would not include conducting of examination, etc. and admission of students to such institutions or prescribing the fee in these institutions of higher education, etc. In fact, such coordination and determination of standards, insofar as medical education is concerned, is achieved by parliamentary legislation in the form of the Indian Medical Council Act, 1956 and by creating the statutory body like Medical Council of India (for short "MCI") therein. The functions that are assigned to MCI include within its sweep determination of standards in a medical institution as well as coordination of standards and that of educational institutions. When it comes to regulating "education" as such, which includes even medical education as well as universities (which are imparting higher education), that is prescribed in List III Entry 25, thereby giving concurrent powers to both Union as well as States. It is significant to note that earlier education, including universities, was the subject-matter of List II Entry 11 ["11. "Education" including universities, subject to the provisions of List I Entries 63, 64, 65 and 66 and List III Entry 25."] . Thus, power to this extent was given to the State Legislatures. However, this entry was omitted by the Constitution (Forty-second Amendment) Act, 1976 with effect from 3-7-1977 and at the same time List II Entry 25 was amended [Unamended List III Entry 25 read as: "Vocational and technical training of labour."] . Education, including University education, was thus transferred to the Concurrent List and in the process technical and medical education was also added. Thus, if the argument of the appellants is accepted, it may render Entry 25 completely otiose. When two entries relating to education, one in the Union List and the other in the Concurrent List, coexist, they have to be read harmoniously. Reading in this manner, it would become manifest that when it comes to coordination and laying down of standards in the higher education or research and scientific and technical institutions, power rests with the Union/Parliament to the exclusion of the State Legislatures. However, other facets of education, including technical and medical education, as well as governance of universities is concerned, even State Legislatures are given power by virtue of Entry 25. The field covered by List III

Entry 25 is wide enough and as circumscribed to the limited extent of it being subject to List I Entries 63, 64, 65 and 66.

102. Most educational activities, including admissions, have two aspects : the first deals with the adoption and setting up the minimum standards of education. The objective in prescribing minimum standards is to provide a benchmark of the calibre and quality of education being imparted by various educational institutions in the entire country. Additionally, the coordination of the standards of education determined nationwide is ancillary to the very determination of standards. Realising the vast diversity of the nation wherein levels of education fluctuated from lack of even basic primary education, to institutions of high excellence, it was thought desirable to determine and prescribe basic minimum standards of education at various levels, particularly at the level of research institutions, higher education and technical education institutions. As such, while balancing the needs of States to impart education as per the needs and requirements of local and regional levels, it was essential to lay down a uniform minimum standard for the nation. Consequently, the Constitution-makers provided for List I Entry 66 with the objective of maintaining uniform standards of education in fields of research, higher education and technical education.

103. The second/other aspect of education is with regard to the implementation of the standards of education determined by Parliament, and the regulation of the complete activity of education. This activity necessarily entails the application of the standards determined by Parliament in all educational institutions in accordance with the local and regional needs. Thus, while List I Entry 66 dealt with determination and coordination of standards, on the other hand, the original List II Entry 11 granted the States the exclusive power to legislate with respect to all other aspects of education, except the determination of minimum standards and coordination which was in national interest. Subsequently, vide the Constitution (Forty-second Amendment) Act, 1976, the exclusive legislative field of the State Legislature with regard to education was removed and deleted, and the same was replaced by amending List III Entry 25 granting concurrent powers to both Parliament and State Legislature the power to legislate with respect to all other aspects of education, except that which was specifically covered by List I Entries 63 to 66.

104. No doubt, in *Bharati Vidyapeeth* [*Bharati Vidyapeeth v. State of Maharashtra*, (2004) 11 SCC 755 : 2 SCEC 535] it has been observed that the entire gamut of admission falls under List I Entry 66. The said judgment by a Bench of two Judges is, however, contrary to law laid down in earlier larger Bench decisions. In *Gujarat University* [*Gujarat University v. Krishna Ranganath Mudholkar*, AIR 1963 SC 703 : 1963 Supp (1) SCR 112] a Bench of five Judges examined the scope of List II Entry 11 (which is now List III Entry 25) with reference to List I Entry 66. It was held that the power of the State to legislate in respect of education to the extent it is entrusted to Parliament, is deemed to be restricted. Coordination and determination of standards was in the purview of List I and power of the State was subject to power of the Union on the said subject. It was held that the two entries overlapped to some extent and to the extent of overlapping the power conferred by List I Entry 66 must prevail over power of the State. Validity of a State legislation depends upon whether it prejudicially affects "coordination or determination of standards", even in absence of a Union legislation. In *R. Chitrlekha v. State of Mysore* [*R. Chitrlekha v. State of Mysore*, (1964) 6 SCR 368 : AIR 1964 SC 1823] the same issue was again considered. It was observed that if the impact of the State law is heavy or devastating as to wipe out or abridge the Central field, it may be struck down. In *State of T.N. v. Adhiyaman Educational & Research Institute* [*State of T.N. v. Adhiyaman Educational & Research Institute*, (1995) 4 SCC 104 : 1 SCEC 682], it was observed that to the extent that State legislation is in conflict with the Central legislation under Entry 25, it would be void and inoperative. To the same effect is the view taken in *Preeti Srivastava* [*Preeti Srivastava v. State of M.P.*, (1999) 7 SCC 120 : 1 SCEC 742] and *State of Maharashtra v. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya* [*State of Maharashtra v. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya*, (2006) 9 SCC 1 : 5 SCEC 637]. Though the view taken in *State of M.P. v. Nivedita Jain* [*State of M.P. v. Nivedita Jain*, (1981) 4 SCC 296] and *Ajay Kumar Singh v. State of Bihar* [*Ajay Kumar Singh v. State of Bihar*, (1994) 4 SCC 401] to the effect that admission standards covered by List I Entry 66 could apply only post admissions was overruled in *Preeti Srivastava* [*Preeti Srivastava v. State of M.P.*, (1999) 7 SCC 120 : 1 SCEC 742], it was not held that the entire gamut of admissions was covered by List I as wrongly assumed

in Bharati Vidyapeeth [Bharati Vidyapeeth v. State of Maharashtra, (2004) 11 SCC 755 : 2 SCEC 535] .

105. We do not find any ground for holding that Preeti Srivastava [Preeti Srivastava v. State of M.P., (1999) 7 SCC 120 : 1 SCEC 742] excludes the role of States altogether from admissions. Thus, observations in Bharati Vidyapeeth [Bharati Vidyapeeth v. State of Maharashtra, (2004) 11 SCC 755 : 2 SCEC 535] that entire gamut of admissions was covered by List I Entry 66 cannot be upheld and overruled to that extent. No doubt, List III Entry 25 is subject to List I Entry 66, it is not possible to exclude the entire gamut of admissions from List III Entry 25. However, exercise of any power under List III Entry 25 has to be subject to a Central law referable to Entry 25."

(emphasis in original)

... ..

10.3. Thus, as held by the Constitution Bench of this Court in Modern Dental College [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1] , in which this Court considered a catena of earlier decisions of this Court dealing with the scope and ambit of List I Entry 66, List I Entry 66 is a specific entry having a very specific and limited scope; it deals with "coordination and determination of standards" in institutions of higher education or research as well as scientific and technical institutions. It is further observed that the words "coordination and determination of standards" would mean laying down the said standards and therefore when it comes to prescribe the standards for such institutions of higher learning, exclusive domain is given to the Union. It is specifically further observed that that would not include conducting of examination, etc. and admission of students to such institutions or prescribing the fee in these institutions of higher education, etc. Thus, in exercise of powers under List I Entry 66, the Union cannot provide for anything with respect to reservation/percentage of reservation and/or even mode of admission within the State quota, which powers are conferred upon the States under List III Entry 25. In exercise of powers under List III Entry 25, the States have power to make provision for mode of admissions, looking to the requirements and/or need in the State concerned.

... ..

11.2. *The MCI Regulations, 2000 are framed by MCI in exercise of its powers conferred under Section 33 of the Indian Medical Council Act, 1956. The Indian Medical Council Act, 1956 has been enacted/passed by the Union in exercise of powers conferred under List I Entry 66. Therefore, the main source of power of MCI would be from List I Entry 66. As per Section 33 of the MCI Act, the Council may with the previous sanction of the Central Government make regulations generally to carry out the purpose of the said Act. Therefore, in exercise of powers under Section 33 of the MCI Act, the Regulations 2000 are made by MCI. As observed hereinabove, MCI draws the power from List I Entry 66. As observed hereinabove, List I Entry 66 is a specific entry having a very specific and limited scope which deals with "coordination and determination of standards" of higher education for research as well as scientific and technical institutions. In fact, such "coordination and determination of standards", insofar as medical education is concerned, is achieved by parliamentary legislation in the form of the Indian Medical Council Act, 1956 and by creating the statutory body like MCI. The functions that are assigned to MCI include within its sweep "determination of standards" in a medical institution as well as "coordination of standards" and that of educational institutions. As discussed hereinabove, when it comes to regulating "education" as such, which includes even medical education as well as universities, that is prescribed in List III Entry 25.*

... ..

13. *The sum and substance of the above discussion would be that:*

... ..

13.5. *That Regulation 9 of the MCI Regulations, 2000 does not deal with and/or make provisions for reservation and/or affect the legislative competence and authority of the States concerned to make reservation and/or make special provision like the provision providing for a separate source of entry for in-service candidates seeking admission to postgraduate degree courses and therefore the States concerned to be within their authority and/or legislative competence to provide for a separate source of entry for in-service candidates seeking admission to postgraduate degree courses in exercise of powers under List III Entry 25.*

...
17.1. *The action of the State to provide for the in-service quota is in the discharge of its positive constitutional obligations to promote and provide better healthcare facilities for its citizens by upgrading the qualifications of the existing in-service doctors so that the citizens may get more specialised healthcare facility. Such action is in discharge of its constitutional obligations as provided in Article 47 of the Constitution of India, which is the corresponding fundamental right of the citizens protected under Article 21 of the Constitution of India.*

...
17.3. *In a recent decision in Assn. of Medical Superspeciality Aspirants & Residents v. Union of India [Assn. of Medical Superspeciality Aspirants & Residents v. Union of India, (2019) 8 SCC 607] , it is observed and held by this Court in paras 25 and 26 as under : (SCC p. 625)*

"25. It is for the State to secure health to its citizens as its primary duty. No doubt the Government is rendering this obligation by opening government hospitals and health centres, but in order to make it meaningful, it has to be within the reach of its people, as far as possible, to reduce the queue of waiting lists, and it has to provide all facilities to employ best of talents and tone up its administration to give effective contribution, which is also the duty of the Government [State of Punjab v. Ram Lubhaya Bagga, (1998) 4 SCC 117 : 1998 SCC (L&S) 1021] .

26. Right to health is integral to the right to life. Government has a constitutional obligation to provide health facilities [State of Punjab v. Mohinder Singh Chawla, (1997) 2 SCC 83 : 1997 SCC (L&S) 294] . The fundamental right to life which is the most precious human right and which forms the ark of all other rights must therefore be interpreted in a broad and expansive spirit so as to invest it with significance and vitality which may endure for years to come and enhance the dignity of the individual and the worth of the human person. The right to life enshrined in Article 21 cannot be restricted to mere animal existence. It means something much more than just physical survival. The right to life includes the right to live with human dignity and all that goes along with it, namely, the bare necessities of life such as adequate nutrition, clothing and shelter, and facilities for reading, writing and expressing oneself in

diverse forms, freely moving about and mixing and commingling with fellow human beings."

17.4. *A healthy body is the very foundation for all human activities. In a welfare State, therefore, it is the obligation of the State to ensure the creation and the sustaining of conditions congenial to good health. Maintenance and improvement of public health have to rank high as these are indispensable to the very physical existence of the community and on the betterment of these depends the building of the society of which the Constitution-makers envisaged. It is observed by this Court in Vincent Panikurlangara v. Union of India [Vincent Panikurlangara v. Union of India, (1987) 2 SCC 165 : 1987 SCC (Cri) 329 : AIR 1987 SC 990] that "attending to public health is of high priority, perhaps the one at the top". It is the primary duty of a welfare State to ensure that medical facilities are adequate and available to provide treatment.*

17.9. *As observed hereinabove, Article 21 of the Constitution of India imposes an obligation on the State to safeguard the life of every person. Preservation of human life is thus of paramount importance. Thus, when the State provides a separate source of admission for in-service doctors as a distinct class and within the State quota and the object is laudable, the State is within its power to provide such separate source of admission in exercise of the powers under List III Entry 25, read with List II Entry 6. It cannot be said that there is no nexus with the laudable object of meeting the requirement of qualified postgraduate doctors for the public health services, more particularly, in the rural, tribal and difficult areas. As such, there is no conflict between the power of the Union and the State. As observed hereinabove, the occupied field of Union legislation in exercise of power under List I Entry 66 is related to minimum standards of medical education and the State is providing the in-service quota without impinging the prescribed minimum standards. It is a settled proposition of law that in case of two entries that might be overlapping, in that case, the interpretation must be in furtherance of achieving the ultimate object, in the present case to provide better healthcare in the rural, tribal and difficult areas. Any interpretation which would negate and/or become nugatory the other entry, is to be avoided. There must be a harmonious reading between the two entries. In the present case, as such and as observed*

hereinabove, there shall not be any conflict between the power of the Union and the State, while exercising the powers under List I Entry 66 by the Union and under List III Entry 25 by the States. Therefore, as such, the State is within its power and is empowered to make reservation in the seats of the postgraduate medical courses, more particularly, for in-service doctors.

... ..
Conclusions

23. The sum and substance of the above discussion and conjoint reading of the decisions referred to and discussed hereinabove, our conclusions are as under:

23.1. That List I Entry 66 is a specific entry having a very limited scope.

... ..
53. From a composite reading of these authorities, the position of law as emerges, is that all aspects of admission cannot be said to be covered by Entry 66 of the Union List, even if the entire admission process is incorporated in a single code. Certain aspects of admission stipulated by the State may trespass into legislative zone of "coordination and determination of standards". One illustration of such potential trespass would be lowering the eligibility criteria for admission fixed by a Union legislation, the 2000 Regulations in this case. In such a situation, the State would be encroaching upon exclusive field of the Union. The case of Preeti Srivastava [Preeti Srivastava v. State of M.P., (1999) 7 SCC 120 : 1 SCEC 742] was decided broadly on this rationale.

54. But there can be rules on facets of admission process in institutions of higher education framed by the State Legislature which would not have impact on the subjects enumerated against Entry 66 of the Union List, and thus would not result in conflict with the latter. While analysing the State's power to legislate under Schedule VII List II Entry 11 of the Constitution, as it originally existed, it has been observed in Modern Dental College [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1] (at

SCC p. 431, para 103) that "... except the determination of minimum standards and coordination which was in national interest", the State had power to legislate with respect to all other aspects of education.

... ..

72. In *Modern Dental College [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1]*, it has been explained, the manner in which List I Entry 66 ought to be interpreted while dealing with admission to postgraduate medical admission course. It has been held in this judgment that the said entry in List I is having a very specific and limited scope. It has also been held in the said decision that while setting standards in educational institutions for higher studies would be in the exclusive domain of the Union, that might not include conducting of examination, etc. Regulating medical education would come within List III Entry 25 giving concurrent powers to both Union as well as States. In *Modern Dental College [Modern Dental College & Research Centre v. State of M.P., (2016) 7 SCC 353 : 7 SCEC 1]*, the rules for admission into medical postgraduate courses framed by the State Government were assailed.

... ..

84. When a subject falls in a shared field of legislation, there may be cases where the dominant legislative body may not have had made provisions in a legislative instrument for which it had power to do so. But in such a situation the dominant legislative body cannot prevent the secondary legislative body from making provisions in that regard. We would make it clear here that we are using the terms "dominant legislative body" to describe the Union Legislature and "secondary legislative body" to refer to the State Legislature in the context of the Concurrent List only. We are doing so because in case of repugnancy between two legislative instruments originating from the Union and the State Legislatures in relation to any entry therein, the former is to prevail as per the constitutional scheme. Turning back to the aspect of occupied field, if certain areas of legislative entry are left void by the Union Legislature, these void areas would come within the legislative power of the secondary legislative body as the constitutional entry gives both the legislative bodies co-existing, power to legislate on such subjects.

... ..

97. *We also expect that the statutory instruments of the respective State Governments providing for such separate channel of entry should make a minimum service in rural or remote or difficult areas for a specified period mandatory before a candidate could seek admission through such separate channel and also subsequent to obtaining the degree. On completion of the course, to ensure the successful candidates serve in such areas, the State shall formulate a policy of making the in-service doctors who obtain entry in postgraduate medical degree courses through independent in-service channel execute bonds for such sum the respective States may consider fit and proper."*

(Emphasis supplied)

The Apex Court holds that Entry 66 of List-I and Entry 25 of List-III are overlapping entries and must be interpreted to achieve the ultimate object. The Apex Court considers that the field of higher education strictly affects the growth and development of the State. Therefore, it is the prerogative of the State to take steps towards the welfare of the people. This being the law, the submission of repugnancy needs to be repelled, as the NMC Act comes about in the year 2019. The Act does not restrict the powers of the State to regulate education in terms of Entry-25 of List-III of the Seventh Schedule. If what is considered by the Apex Court in the case of ***T.N. MEDICAL OFFICERS ASSOCIATION*** (*supra*) is taken note of, the submission of the learned senior counsel that it is repugnant

becomes unacceptable. Therefore, I hold that Act 2012 is not repugnant to NMC Act, 2019. The issue is answered against the petitioners.

ISSUE NO.3:

(iii) Whether imposition of compulsory rural service and execution of bond under the amended Rule 11 of the 2006 Rules are valid in law?"

14. This issue relates to imposition of compulsory rural service on the students and make them ineligible to get enrolled either in the National register or the State register unless they complete such rural service. The State promulgates the Karnataka Compulsory Service by Candidates Completed Medical Courses Act, 2012. The State Government had notified Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Act, 2006. Under the said Act, Rules came to be notified viz., the Karnataka Selection of Candidates for Admission to Government seats in Professional Educational Institutions Rules

2006. Rule 11 of the said Rules of 2006 comes to be amended by issuance of a notification on 17-07-2012. The amendment to the Rules reads as follows:

"GOVERNMENT OF KARNATAKA
No.MED 79 RGU 2011 Karnataka Government Secretariat,
M.S. Building,
Bangalore, Dated: 17-07-2012.

NOTIFICATION-01

In exercise of the powers conferred by Section 14 of the Karnataka Educational Institutions (Prohibition of Capitation fee) Act, 1984 (Karnataka Act 37 of 1984), the Government of Karnataka hereby makes the following rules, further to amend the Karnataka Selection of Candidates for Admission to Government Seats in Professional Educational Institutions Rules, 2006, namely, -

RULES

1. ***Title and commencement***, - (1) These rules may be called the Karnataka Selection of Candidates for Admission to Government Seats in Professional Educational Institutions (Amendment) Rules, 2012.
2. ***They shall come into force from the date of their publication in the Official Gazette.***
3. ***Amendment of rule 11.- In the Karnataka Selection of Candidates for Admission to Government Seats in Professional Educational Institutions Rules, 2012, for rule 11, the following shall be substituted namely, -***

"11. – Execution of Bond by Candidates Selecting Medical Seats (MBBS) in Government and Private Colleges, - A candidate who selects MBBS seat in any of the Medical Colleges run by the Government of Karnataka or Government seats in Private Medical Colleges is required to execute a bond

(signed by the candidate and parent) giving an undertaking that he is prepared to serve in any Government primary Health Centres or Government Primary Health Unit in rural areas of Karnataka on completion of the course for a minimum period of one year and that in default thereof, the candidate shall be liable to pay a penalty of rupee ten lakh to Government.

*By orders and in the name of
the Governor of Karnataka*

*(MAHABOOB KHAN)
Under Secretary to Government-2,
Health and Family Welfare Department,
(Medical Education)."*

(Emphasis supplied)

The amended Rule 11 mandates execution of a bond by candidates selected for medical seats in Government and private colleges run under the Government quota giving an undertaking that he/she is prepared to serve in any Government Primary Health Centres or Government Primary Health Unit in rural areas of Karnataka on completion of the course for a minimum period of one year and in default thereof, the candidate shall be liable to pay a penalty of rupees ten lakhs to the Government. These rules would come into force from the date of their publication in the Official Gazette. It is an admitted fact that the Rules are notified in the Official Gazette

only on 22-07-2022, ten years and five days after the amendment. It is further a matter of record that insistence on compulsory rural service for one year, after the completion of the course, is sought to be imposed on the basis of the afore-quoted notification, which amends Rule 11. In the event the candidate would not complete compulsory service, hefty fine is also found in the said amendment itself. The amendment did not see the light of the day till 22-07-2022, as it was gazetted only then. Therefore, the bond so sought to be executed, a bond of compulsory service, is in terms of a Rule that had not been gazetted, notwithstanding the fact that the Rule itself observes that it shall come into effect, only on its publication in the official gazette.

15. The submission of the State is that though the notification was made on 17-07-2012 and published in the Official Gazette only on 22-07-2022, it would not invalidate the bond that was sought or the compulsory rural service that is indicated in the amended rule. It is the submission of the State that all the candidates were made aware of the said notification of the amendment as the same is reflected in all the bonds executed by the petitioners. Though the

notification is not immediately gazetted, the submission is that it would not vitiate validity of the notification only on the ground that the petitioners were aware of the said notification. These submissions are noted only to be rejected. The laudable object of the State to enforce compulsory rural service upon the petitioners, particularly where the petitioners were beneficiaries of seats in Government colleges or under Government quota in private medical colleges should be directed to undergo rural service, but that should be in accordance with law. The petitioners are students who do not know the law. Merely because the petitioners are aware of the amendment, the State cannot act contrary to law. What is depicted in all the contracts signed is they are seeking signatures on the dotted lines in terms of the amended Rule 11. I deem it appropriate to notice the corrigendum dated 17-06-2021 and it reads as follows:

**"Government of Karnataka
Commissionerate of Health & Family Welfare
Services, Arogya Soudha, Magadi Road,
Bengaluru-560 023.**

No.DHS/BEC/07/2021-22

Date: 17.06.2021

Corrigendum

In the Notification No.DHS/BEC/07/2021-22 published in <https://karunadu.karnataka.gov.in/hfw> on 8th June 2021 in first paragraph in first page, it was mentioned as "As per the provisions of the "Karnataka Compulsory Service Training by Candidates Completed Medical Courses Act, 2012 (Karnataka Act 26 of 2015)", and as per Karnataka Compulsory Service Training by Candidates Completed Medical Courses (Counseling, Allotment and Certification) Rules, 2015, all candidates who have successfully completed and passed in their final examination MBBS 2021 have to serve the Government" this shall be read as "As per the provisions and in accordance with the Amendment to Rule 11 of the Karnataka Selection of Candidates for Admission to Government seats in Professional Educational Institutions Rules, 2006, vide Government Notification-1, No.HFW.79.RGU.2011, dated 17-07-2012, all candidates who got admitted to MBBS course under Government quota in any of the Medical Colleges run by the Government of Karnataka or Government seats in Private Medical Colleges during 2015-16 academic year and who have executed bond and have successfully completed MBBS course (including internship) shall serve the Government."

Serial No.13: Penalty which was mentioned as "whoever contravenes any of the provisions specified in Rules shall be punished with a fine not less than rupees fifteen lakhs but may extend up-to rupees thirty lakhs" in page No.3 shall be read as whoever contravenes any of the provisions specified in rules will be liable to pay a penalty of rupees ten lakh to Government.

Revised calendar of events

<i>i</i>	<i>Last day of option entry by candidates</i>	<i>18th June 2021</i>
<i>ii</i>	<i>Processing of results and verification</i>	<i>19th & 20th June 2021</i>
<i>iii</i>	<i>Announcing of results</i>	<i>22nd June 2021</i>
<i>iv</i>	<i>Date of start of Government service</i>	<i>30th June 2021"</i>

The corrigendum makes one fact abundantly clear that as per the provisions and in accordance with the amendment to Rule 11 of the 2006 Rules, as also in terms of Government notification dated 17-07-2012, all candidates who get admitted to MBBS course under Government quota in any of the medical colleges run by the Government of Karnataka or Government seats in private medical colleges shall serve the Government by execution of a bond. The bond so sought to be executed by the State is as follows:

***"Execution of bond by Candidates who select MBBS seats in Government Medical Colleges OR Government seats in Private Medical Colleges
(on Rs.100/- e-Stamp Paper)***

I, Mr./Kum.....S/o,/D/o..... a candidate with 'CET-2012' Admission Ticket No..... residing at..... Have on my own volition allotted a MBBS seat on in..... vide admission order number.....dated..... and do hereby undertake as follows:

*In accordance with the Amendment to Rule 11 of the Karnataka Selection of Candidates for Admission to Government seats in Professional Educational Institutions Rules, 2006, **vide Government Notificaiton-1. No.HFW 79 RGU 2011 dated 17-07-2012**, I am prepared on completion of the course to serve in any Primary Health Center or Primary Health Unit situated in Rural Areas in the State of Karnataka for a minimum period of ONE year, failing which I render myself liable to pay a penalty of Rupees Ten Lakhs to Government of Karnataka.*

What is stated above is true and correct and I and my parent hereby undertake to act accordingly.

Signature of the candidate
Date:
Place:

Signature of parent
(Father/Mother)"

(Emphasis supplied)

The execution of bond is in accordance with the Amendment to Rule 11 of the Rules notified on 17-07-2012. Therefore, the bond that is sought to be executed is in furtherance of the Rules dated 17-07-2012 and the corrigendum issued on 17-06-2021 to the Rules. Penalty is also indicative of the fact in the Rules. The difference between the Rule which stood prior to the amendment and the Rule that comes about in the corrigendum is as follows:

"As per Original Rule 11 before amendment:

- a. Applicable only to students admitted to Medical colleges run by Government of Karnataka.*
- b. Student is required to do compulsory service in Rural areas of Karnataka.*
- c. In default, student liable to pay a penalty of Rs One Lakh.*

Rule 11 was amended by a notification dated 17-07-2012 and as per this amended notification:

- a. Applicable to students admitted to Medical colleges run by Government of Karnataka or government students in private medical colleges.*
- b. In case of default a fine was increased from Rs One Lakh to Rs 10 lakhs.*

- c. *Amended rule shall come into force on the date of publication in the official Gazette."*

As observed hereinabove, Section 14 of the Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984 empowered the State to make Rules. The State has made the Rules on 17-07-2012 by a notification and has issued a corrigendum to the said Rules in the year 2021. All the students have been asked to sign on the dotted lines including their parents is a matter of record and it is in terms of the Rules and the corrigendum. The notification dated 17-07-2012 is quoted hereinabove. The said amended Rule is to come into effect on the date of publication in the Official Gazette. It is gazetted on 22-07-2022 – 10 years after the promulgation of the Rules. The State appears to have been in **deep slumber** or having a **siesta** for 10 years. If the Rule itself depicts that it would come into effect on the date of its publication in the Official Gazette, the Rule that just stood on paper before publication was inchoate. On an inchoate Rule, the State has sought to impose certain conditions upon students.

16. The submission of the learned Additional Advocate General that non-publication of the Rule in the Official Gazette would not amount to the rule not being enforceable is noted only to be rejected. There is some significance for an observation in the rule that it would come into force on the date of its publication in the Official Gazette, as there are such scores and scores of Rules which have been on paper and not enforced, in the light of the fact that they are not published in the Official Gazette, as was required in law. It is also in public domain that several notifications issued by the respective Governments or Union Government have all lapsed for them being not notified in the Official Gazette as the rule requires to do so and one such is the present rule.

17. It becomes apposite to refer to the judgment of the Apex Court on the issue. The Apex Court in the case of **RAJENDRA AGRICULTURAL UNIVERSITY v. ASHOK KUMAR PRASAD**⁷ has held as follows:

"....

15. *Learned counsel therefore submitted that the principle that a subordinate legislation which is not published*

⁷ (2010) 1 SCC 730

cannot come into effect nor enforced against any member of the public, for want of knowledge to the public, in the absence of publication, cannot apply where a Statute is made, as in this case, for the benefit of a specific and small class of persons, that is the teaching faculty of the University, and the making of the said Statute is otherwise known to all the teaching faculty, and when the teachers for whose benefit it is made seek implementation of the Statute. **It was contended that in such a case, the non-publication of the Statute in the Official Gazette cannot be put forth as an objection for its implementation.**

16. We have carefully considered the contention of the respondents. Many of the Statutes which the University is empowered to frame deal with topics which fall in public domain, affecting or relevant to general public. For example, Item 4 of Section 35 relates to classification, qualification and manner of appointment of teachers and other non-teaching staff. Item 9 relates to the manner of appointment and selection of officers other than Vice-Chancellor, and their powers, terms and conditions of service. Item 16 relates to entrance or admission of students to a university and their enrolment and continuance as such and the conditions and procedure for dropping student from enrolment. Item 17 relates to fees which may be charged by a university. Item 21 relates to maintenance of discipline among students of a university. Item 26 relates to conditions and mode of appointment and the duties of examining bodies and examiners.

17. Any person interested in appointment in the university service as a teacher or non-teaching staff or officer is entitled to know the qualifications prescribed for the post and the manner/mode of selection and appointment. The students or prospective students are entitled to know the fees which may be charged by the university. The Statute made for maintenance of discipline amongst the students concerns the large body of the student community which keeps changing periodically. If the Statutes made on these topics are not published in the Official Gazette, the persons concerned may never come to know about them. **Therefore, the provision contained in Section 36(4) requiring publication of Statutes in the Official Gazette, which applies to all Statutes framed by the University, has to be treated mandatory. The fact that a particular**

Statute may not concern the general public, but may affect only a specified class of employees, is not a ground to exclude the applicability of the mandatory requirement of publication in the Official Gazette, to that Statute in the absence of an exception in Section 36(4) of the Act.

18 [Ed.: Para 18 corrected vide Official Corrigendum No. F.3/Ed.B.J./3/2010 dated 6-1-2010.] The question can be looked at from another perspective also. The contentions urged by the respondents may be good grounds for the legislature to conclude that there need not be a provision in the Act for publication in the Official Gazette, when they relate to a small section of employees of the University and consequently, amend Section 36(4) providing for a simpler mode of publication in such cases. But the contentions are not relevant grounds for holding that a statutorily enacted mandatory requirement relating to publication in the Official Gazette, is directory. The respondents cannot by importing the reasons for making a statutory provision, or the object of making a statutory provision, attempt to defeat the specific and unambiguous mandatory requirements of that statutory provision.

19. As noticed above, several reasons might have contributed to making of a statutory provision providing for publication of all Statutes in the Official Gazette. All those reasons may not apply or exist in regard to making of an individual statute. But once the law lays down that publication of a Statute in the Official Gazette is a part of the process of making a statute, the object of making such a provision for publication recedes into the background and becomes irrelevant, and on the other hand, fulfilment of the requirement to make public the Statute by publication in the Official Gazette becomes mandatory and binding.

20. We may illustrate the position by an example:

If a two-way street is declared as a one-way street, the reason for such declaration may be that the traffic was heavy and the two-way traffic was causing chaos, creating bottlenecks and impeding smooth flow of traffic. The object of declaring the street to be a one-way street may be to ease the traffic and provide road safety and

traffic discipline. But once the street is declared to be a one-way, a car driver charged with the offence of driving on the wrong way, cannot defend his wrong act by contending that when he was going the wrong way, there was not much traffic on the road, and therefore, there was no need for the street to be a one-way and the declaration of the street as one-way should be treated as directory or optional. Once the street is declared to be a one-way street, even if there is no heavy traffic, vehicle drivers should use it as one-way street. The remedy if any is not to treat the requirement as directory or optional, but to require the authority concerned to restrict the declaration to peak hours.

21. *In B.K. Srinivasan v. State of Karnataka [(1987) 1 SCC 658] this Court explained why publication in the gazette was mandatory and necessary in regard to subordinate legislations: (SCC p. 672, para 15)*

"15. There can be no doubt about the proposition that where a law, whether parliamentary or subordinate, demands compliance, those that are governed must be notified directly and reliably of the law and all changes and additions made to it by various processes. Whether law is viewed from the standpoint of the 'conscientious good man' seeking to abide by the law or from the standpoint of Justice Holmes' 'unconscientious bad man' seeking to avoid the law, law must be known, that is to say, it must be so made that it can be known. We know that delegated or subordinate legislation is all-pervasive and that there is hardly any field of activity where governance by delegated or subordinate legislative powers is not as important if not more important, than governance by parliamentary legislation. But unlike parliamentary legislation which is publicly made, delegated or subordinate legislation is often made unobtrusively in the chambers of a Minister, a Secretary to the Government or other official dignitary. It is, therefore, necessary that subordinate legislation, in order to take effect, must be published or promulgated in some suitable manner, whether such publication or promulgation is prescribed by the parent statute or not. It will then take effect from the date of such publication or promulgation. Where

the parent statute prescribes the mode of publication or promulgation that mode must be followed.”
(emphasis supplied)

However, if the parent law had been silent about the manner of publishing or notifying the Statute, and had not prescribed publication in the Official Gazette as the mode of publication, the contentions of respondents might have merited some consideration. But when the Act clearly provided that the Statute required publication in the gazette, the requirement became mandatory.

22. *In fact, in B.K. Srinivasan [(1987) 1 SCC 658] this Court explained the position, if the parent Act was silent about publication in the gazette: (SCC pp. 672-73, para 15)*

“15. ... Where the parent statute is silent, but the subordinate legislation itself prescribes the manner of publication, such a mode of publication may be sufficient, if reasonable. If the subordinate legislation does not prescribe the mode of publication or if the subordinate legislation prescribes a plainly unreasonable mode of publication, it will take effect only when it is published through the customarily recognised official channel, namely, the Official Gazette or some other reasonable mode of publication. There may be subordinate legislation which is concerned with a few individuals or is confined to small local areas. In such cases publication or promulgation by other means may be sufficient.”

23. *The decision of this Court in I.T.C. Bhadrachalam Paperboards v. Mandal Revenue Officer [(1996) 6 SCC 634] also throws considerable light on this issue. In that case, Section 11 of the Andhra Pradesh Non-Agricultural Land Assessment Act, 1963 conferred upon the Government the power to exempt any class of non-agricultural land from the levy by an order published in the Andhra Pradesh Gazette. The State Government issued GOMs No. 201 dated 17-12-1976 providing certain exemptions including exemption from non-agricultural land assessment, by way of an incentive and concession to industries to be established in certain scheduled areas, the object being to provide rapid industrialisation of those backward areas. The said*

order was not published in the Official Gazette. One of the questions considered by this Court was whether the government order which did not comply with the mandatory requirement of publication in the gazette could be relied on by a person who acted upon it, to invoke the principle of promissory estoppel against the Government and claim the benefit under the government order on the ground that it contained a promise or representation held out by the Government to the members of the public.

24. This Court in Bhadrachalam case [(1996) 6 SCC 634] held that the requirement under Section 11 of the Act relating to publication of the government order in the gazette, was mandatory and that where an enactment requires an act (making a government order) to be done by the Government only in the manner prescribed therein, then non-compliance with the mandatory statutory requirement will make the act (making of a government order) invalid and consequently, the government order cannot be considered as a valid and binding one, nor as a representation held out by the Government, creating any right to seek the benefit of that government order by invoking the principle of promissory estoppel against the Government.

25. This Court held: (Bhadrachalam case [(1996) 6 SCC 634] , SCC pp. 657-58, para 30)

"30. Shri Sorabjee next contended that even if it is held that the publication in the gazette is mandatory yet GOMs No. 201 can be treated as a representation and a promise and inasmuch as the appellant had acted upon such representation to his detriment, the Government should not be allowed to go back upon such representation. It is submitted that by allowing the Government to go back on such representation, the appellant will be prejudiced. The learned counsel also contended that where the Government makes a representation, acting within the scope of its ostensible authority, and if another person acts upon such representation, the Government must be held to be bound by such representation and that any defect in procedure or irregularity can be waived so as to render valid which would otherwise be invalid. The counsel further submitted that allowing the Government to go back upon its promise

contained in GOMs No. 201 would virtually amount to allowing it to commit a legal fraud. For a proper appreciation of this contention, it is necessary to keep in mind the distinction between an administrative act and an act done under a statute. If the statute requires that a particular act should be done in a particular manner and if it is found, as we have found hereinbefore, that the act done by the Government is invalid and ineffective for non-compliance with the mandatory requirements of law, it would be rather curious if it is held that notwithstanding such non-compliance, it yet constitutes a 'promise' or a 'representation' for the purpose of invoking the rule of promissory/equitable estoppel. Accepting such a plea would amount to nullifying the mandatory requirements of law besides providing a licence to the Government or other body to act ignoring the binding provisions of law. Such a course would render the mandatory provisions of the enactment meaningless and superfluous. Where the field is occupied by an enactment, the executive has to act in accordance therewith, particularly where the provisions are mandatory in nature. There is no room for any administrative action or for doing the thing ordained by the statute otherwise than in accordance therewith. Where, of course, the matter is not governed by a law made by a competent legislature, the executive can act in its executive capacity since the executive power of the State extends to matters with respect to which the legislature of a State has the power to make laws (Article 162 of the Constitution). The proposition urged by the learned counsel for the appellant falls foul of our constitutional scheme and public interest. It would virtually mean that the rule of promissory estoppel can be pleaded to defeat the provisions of law whereas the said rule, it is well settled, is not available against a statutory provision. The sanctity of law and the sanctity of the mandatory requirement of the law cannot be allowed to be defeated by resort to rules of estoppel. None of the decisions cited by the learned counsel say that where an act is done in violation of a mandatory provision of a statute, such act can still be made a foundation for invoking the rule of promissory/equitable estoppel. Moreover, when the Government acts outside its authority, as in this case, it is difficult to say that it is acting within its ostensible authority."

26. In view of the above, it is not possible to accept the contention that the Statute contained in the

Notification dated 4-9-1991 came into effect or became enforceable even in the absence of publication in the Official Gazette. The High Court committed an error in holding that the teachers became entitled to the benefit of the Statute relating to time-bound promotion scheme, when the said Statute made by the Board of Management was assented to by the Chancellor even though it was not published in the gazette. The High Court also committed an error in observing that the non-publication was unreasonable and arbitrary, as it ignored the valid reasons assigned by the Chancellor for withdrawing his assent to the incomplete Statute, in his Order dated 19-3-1996."

(Emphasis supplied)

Further, in the case of ***UNION OF INDIA v. PARAM INDUSTRIES LIMITED***⁸, the Apex Court holds as follows:

1. *The respondents herein are engaged in the export and import of various edible oils. They have been importing edible oils in bulks through various ports throughout the country. The respondent had imported RBD Palmolein which had arrived at the port of destination and the same were cleared after payment of import duty of 85% of its value. This import duty was paid pursuant to the notification which was in existence as on that date. The respondent had even removed major quantity of the goods under the aforesaid consignment from the warehouse after payment of the duty in the manner aforesaid. However, when it wanted to remove the balance quantity, the same was denied.*

2. *Thereafter, a notice was received by the respondent which was issued by the appellant stating that with effect from 3-8-2001 (incidentally this is the date on which the bill of entry was filed and goods were cleared by the respondent as*

⁸ (2016) 16 SCC 692

aforesaid), the tariff value in respect of RBD Palmolein had been raised to USD 372 per metric tonne and therefore, the respondent was liable to pay the difference in the tariff which was paid on the basis of earlier notification. The respondent contested the aforesaid demand raised in the show-cause notice by filing reply and contending that the notification which was issued under Section 14(2) of the Customs Act, raising the import duty had not come into effect from 3-8-2001. The respondent filed the writ petitions challenging the action of the appellant in determining the duty.

3. Suffice is to state that in these proceedings, the respondent has ultimately succeeded inasmuch as this plea has been accepted and the Division Bench of the High Court has concluded [Param Industries Ltd. v. Union of India, 2002 SCC OnLine Kar 480 : ILR 2002 KAR 4523] that notification issued under Section 14(2) of the Customs Act cannot be held to have come into force with effect from 3-8-2001. **There was some dispute as to whether the notification was published on 3-8-2001 itself or it was published on a later date. However, from the record, it gets revealed that the notification was sent for publication after the normal office hours i.e. much after 5 p.m. on 3-8-2001. It was almost at the midnight, may be few minutes before 12 in the night. Even if it is to be treated as notification having been published on 3-8-2001 itself i.e. just before the midnight, an issue has arisen as to whether it could be made effective qua the goods which were already cleared during the daytime on the basis of earlier notification. However, it is not necessary to go into this issue at all.**

4. What we find is that the High Court has stated that for bringing the notification into force and make it effective, two conditions are mandatory viz. (1) notification should be duly published in the Official Gazette, (2) it should be offered for sale on the date of its issue by the Directorate of Publicity and Public Relations of the Board, New Delhi. In the present case, admittedly, the second condition was not satisfied inasmuch as it was offered for sale only on 6-8-2001, as it was published on 3-8-2001 in late evening hours and 4-8-2001/5-8-2001 were holidays.

5. *We are in agreement with the aforesaid view taken by the High Court which is in conformity with the law laid down by this Court in Harla v. State of Rajasthan [Harla v. State of Rajasthan, 1951 SCC 936: AIR 1951 SC 467: 1952 Cri LJ 54: 1952 SCR 110] wherein this Court formulated the aforesaid principle in the following manner: (AIR pp. 468-69, para 11)*

"11. The principle underlying this question has been judicially considered in England. For example, on a somewhat lower plane, it was held in Johnson v. Sargant & Sons [Johnson v. Sargant & Sons, (1918) 1 KB 101] that an Order of the Food Controller under the Beans, Peas and Pulse (Requisition) Order, 1917, does not become operative until it is made known to the public, and the difference between an Order of that kind and an Act of the British Parliament is stressed. The difference is obvious. Acts of the British Parliament are publicly enacted. The debates are open to the public and the Acts are passed by the accredited representatives of the people who in theory can be trusted to see that their constituents know what has been done. They also receive wide publicity in papers and, now, over the wireless. Not so Royal Proclamations and Orders of a Food Controller and so forth. There must therefore be promulgation and publication in their cases. The mode of publication can vary; what is a good method in one country may not necessarily be the best in another. But reasonable publication of some sort there must be."

(Emphasis supplied)

In the afore-quoted judgments, the Apex Court clearly holds that, for a rule in terms of a notification to come into effect, the requirement to make the statute public is mandatory. To make it public, publication in the Official Gazette becomes mandatory and binding. Identical submissions that are made in the case at hand by the Additional Advocate General were made in the cases before

the Apex court as well. The Apex Court has turned it down. This Court would follow suit.

18. In the light of the law laid down by the Apex Court what becomes unmistakably clear is, illegality in the execution of bonds in terms of Amended Rule 11, insofar as it pertains to a period prior to the notification of the Rules in the Official Gazette i.e., on 22-07-2022. Today the Rules are in place and the students who would get admitted to Government Colleges or students get admitted to private colleges under the Government quota cannot now escape the rigour of compulsory rural service or execution of bonds in terms of the Rules. It is only for these petitioners the action is held to be illegal in the teeth of the Rule not being in force as on the date on which it was sought to be implemented/imposed upon every student through execution of bonds. Therefore, a contract that is executed, drawing its source to a Rule that had never come into force, is by itself a void contract. The submission that mere non-publication of the rule in the Official Gazette would not vitiate the notification is unacceptable. Therefore, the bonds that are executed by the petitioners are held to be contrary to law.

For all the aforesaid reasons except the contention *qua* execution of bonds, on Issue No.3, every other issue is to be held against the petitioners.

EPILOGUE:

19. A parting observation in the peculiar facts of the case at hand, in the considered view of the Court, would not be inapt. The undisputed fact is, that the petitioners in all these cases are beneficiaries of allotment of a seat in the Government quota of the respective private medical colleges or even the Government colleges. They are making a hue and cry about rural service that they are mandatorily directed to render, by projecting various difficulties that the Doctors would face, if they are directed to undergo mandatory rural service. Mandatory rural service is not alien to the medical profession in any part of the globe, nomenclatures change, the concept is the same.

20. Most development countries, like the United States of America, Canada and Australia *inter alia*, have policies targeted at International Medical Graduates, requiring them to sign a bond for a

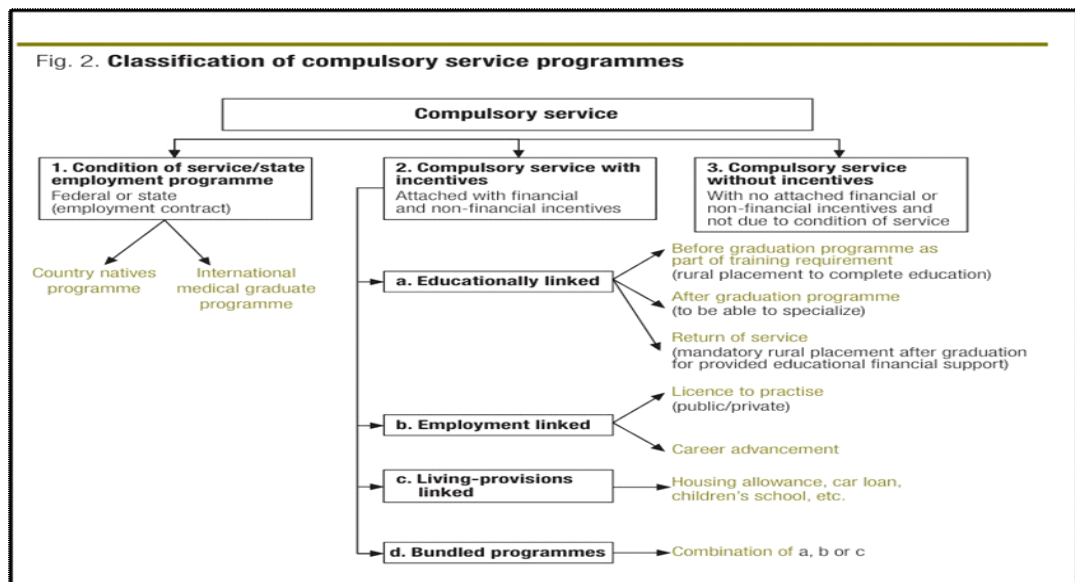
specified period, which would vary from 1 years to 5 years, which would require those medical graduates to work in the allocated rural areas for the bond period. It is only after completion of such service, those medical graduates would get licences to practice medicine in the said country. Few of the other countries like the Latin American countries, African countries and countries in Asian continent do have mandatory or compulsory community service like the one prescribed, which forms the fulcrum of the subject *lis*. The name is different. The State has worded it as 'Rural Service'.

21. In the United Kingdom it is called as 'Targeted Enhanced Recruitment Scheme'. The scheme is open to graduate professionals and trainees who are committed to work for 3 years in the areas identified by the Competent Authority. In the United State of America there are 4 policies which have different names, but all target at community service where newly trained Doctors are directed to work in high need areas in exchange for student debt relief and assist the Health Care Work Force. In Australia, the Health Insurance Act depicts what is 'Bonded Medical Programme', apart from 3 other schemes the country has, for retention of health

professionals in rural and remote Australia. In Canada, international medical graduates regardless of citizenship graduated from medical school, are required to work in such areas identified by the Competent Authorities. Same goes with countries like South Africa, France, Germany, China, Thailand and Russia. They are either by statutes or by policies or by guidelines, nonetheless, community service/rural service is a prevailing and recognized norm to provide adequate health care to the remote rural areas.

22. The World Health Organization encourages compulsory service programmes for recruiting health workers in remote and rural areas. It has laid down guidelines on health workforce development recruitment and retention of those work force in rural and remote areas. The WHO targets increasing access of health workers to remote and rural areas through improved retention of health professionals, so that it would be beneficial to healthcare in the rural areas and would obviate imbalances in such rural areas. Several recommendations are made by the WHO to all the signatory nations to encourage such community service/rural service by the Doctors. According to a study published by the WHO in 2010,

compulsory rural/community service programmes for healthcare professionals including Doctors are bifurcated into 3 different categories: i) a precondition for State employment programme, ii) Compulsory services with incentives, iii) Compulsory services without incentives. These programmes are also regulated by law or a policy within the respective Ministries of Health. There are compliance enforcement measures including withholding full registration until obligations are completed, withholding degree or salary or imposing hefty fines. All these could be classified in a flow chart. The flow chart is as follows:



Source: website of the WHO.

The table depicts systematic breakdown of 3 different categories across the globe. The State has now brought in educationally linked regulation. This is also the one obtaining in most of the nations. Therefore, the students/medical graduates who are the beneficiaries of the welfare of the State, in getting a seat under the Government quota, cannot be seen to escape this obligation of rural service.

23. As observed by the Apex Court, a healthy body is the very foundation of all human activities. In a welfare state it is the obligation of the State to ensure the creation and the sustaining conditions congenial to good health of all citizens. When the students get in under a separate Government quota, at grossly subsidized fee, they cannot, but aid in the programme of the State to improve public health, more particularly, in the rural tribal and difficult areas. The object behind the prescription of the mandate of rural service is ostensibly to provide better health care in rural, tribal or those difficult areas of the citizens of this country, who would have no means to reach a doctor. The students should become part of the public health programme of the State. It is a

dream, that a day would come that medical graduates, would themselves volunteer to render such service, in the rural areas and it is expected that the dream would shortly come true, so that the Society would become ***Egalitarian*** resulting in an '***Utopian Land***'.

24. In the light of the aforesaid discussion and conclusion, I pass the following:

ORDER

- (i) Writ Petitions are allowed in part.
- (ii) The corrigendum dated 17-06-2021 stands quashed only insofar as these petitioners are concerned.
- (iii) Liberty is reserved to the State Government to bring in any Circular/Corrigendum or even a law in tune with the rule now gazetted.
- (iv) The petitioners in all these cases would become entitled to consequential benefits that would flow from the quashment of corrigendum dated 17-06-2021 insofar as it concerns them.

- (v) All other contentions with regard to the Act and Rules stand rejected.

Pending applications, if any, also stand disposed.

**Sd/-
JUDGE**

bkp
CT:MJ