

**IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL**

Appellate/Original Jurisdiction  
Certification of Copy of Order/Judgement

Dated: Nainital Thursday, August 18, 2011

PRESENT: Hon'ble The Chief Justice Judge  
And Mr. Justice V.K.Bist Judge  
Hon'ble

WRIT PETITION PUBLIC No. 60 of 2011  
INTEREST LITIGATION of 0

CIVIL SIDE

Uttarakhand Medical Lab Technician Association and others.

Versus

.....Petitioner(s).

Union of India and others.

.....Respondent(s).

Arising out of

DISTRICT- HARIDWAR

By the Court

Mr. Mangal Singh Chauhan, Advocate, present for the petitioners.

Mr. Parikshit Saini, Advocate, present for the respondent no. 6.

Mr. Gajendra Tripathi, Advocate, present for the respondent no. 7.

Mr. K.P. Upadhyay, Additional Chief Standing Counsel, present for the State/respondent no.

8.

Let notices be issued upon the respondents nos. 9 to 23.

List after service of notices.

Sd/- Chief Justice

Sd/- V.K.Bist, J.

18/08/2011

T.By:-  
E.By:-

True Copy  
Section Officer  
Copying Section  
High Court of Uttarakhand  
NAINITAL.

01/09/2011

Writ Petition P.I.L. No. 60 of 2011  
 (Under Article-226 of the Constitution of India)

District- Haridwar

1. Uttrakhand Medical Lab Technician Association (Registered and Recognised by State of Uttrakhand) through its General Secretary, Sh. Manoj Mishra S/o Shri. Rajmani Mishra, Age about 31 Years, R/o 45 Gali No.1, Ambedkar Nagar, Post Jwalapur, District Haridwar.

no. 3

2. Joint Forum of Medical Technologist of India. (JFMTI) (National Forum of Registered Medical Technologists Associations) through its General Secretary, Sh. Kaptan Singh Sehrawat S/O Late Sh. Balbir Singh Sehrawat R/o 51, Sector E, Gole Market, New Delhi, 110001.

&

Following JFMTI officials & Representatives of Medical Technologists Associations).

3. Udai Midha S/o Late Sh. H.C. Midha President, Indian Railway Medical Laboratory Technologists Association (Registered National Association) working as a Lab Superintendent in Northern Railway Central Hospital, New Delhi Address C-1/D, Basant Lane railway Colony, Paharganj, New Delhi-110055.

Tripathi Adv.

4. T.N. Mishra, President, Society of Indian Radiographers, (Registered National Association) working as scientific officer, Department of Radio diagnosis, Tata Memorial Hospital, Parel Mumbai

No. 7

5. G.S Wadhawan S/O Sh. Gurbachan Singh Wadhawan, President Association of Radiation Therapy Technologists of India, (Registered National Association) C-91 Fatch Nagar, Tilak Nagar, New Delhi-110018.

6. S.C. Bansal S/o Sh. Sohan Lal Bansal General Secretary, Indian Association of Radiology Technologists (IART) (Registered National Association). Department of Radio diagnosis, PGIMER, Chandigarh.

Jayesh Kamdar, Sh. Harkishan Das General Secretary, ASEOPPLOG, Gujarat, (Registered State Association) Kamdar Clinical Laborator Vansiro House, 30, Karan Para, Karan Singh Ji Road, Rajkot-360001.Gujrat

Eakaruddin Ahmed, S/O Shri Goznabi Ahemad General Secretary, All Assam Medical Laboratory Technologists Association, ASSAM, (Registered State Association). Department of Microbiology, Guwahati Medical College,



9. R.M. Tiwari, S/o Sh. Muralidhar Vishwanath,  
General Secretary, ACLAP, Maharashtra  
(Registered State Association)  
Kripa Complex opp. Cosmo bank Baramati Distt Pune-413102.
10. Ranajib Bhaumik, S/o Sh. Amiya Bhusan Bhaumik,  
President, ATPRCA, Tripura, (Registered State Association)  
Dhaleswar Road No. 1 Agartala-799007 Tripura.
11. Ashwani Munjal, S/o Sh. S.M. Munjal, General Secretary, PGIMTA,  
PGIMER Chandigarh, (Registered Association). H.No. 3048 Blood Donor  
Cooperative house Building Society, Sector 50 D Chandigarh.
12. Harish Chander S/o Sh Sita Ram, General Secretary, MLTA, PGIMS  
Rohtak (Haryana). House-No. 515, Sector-2 (P), Rohtak
13. Manindra Choudhuri S/o late Sh. Pramaiha nath Choudhuri  
President, AIIMT, Kolkata, 84, DumDum Park, Kolkata-700055  
(Registered Association).
14. Manoj Kumar S/o Sh. Sukhpal Singh General Secretary  
OTTSA, PGI Chandigarh, (Registered Association)  
1128 A, Sector 24 B Chandigarh.
15. Dr. Sahjehana Moulana, s/o Mohd Ali, 61, Waja mohalla,  
202 Super Towers, Thane Road opp. Bobde Mohalla,  
Bhiwandi, Distt. Thana, Maharashtra  
JFMTI Member.
16. Dr. Pankaj Kaul, S/o Sh. H. N. Kaul R/O 455 Sector 15 A Chandigarh,  
Member, JFMTI. .... Petitioners.

Vs.

1. Union of India through its Secretary Ministry of Health and Family  
Welfare, Nirman Bhawan, New Delhi.
2. Directorate General, Directorate General of Health Services,  
Nirman Bhawan New Delhi.
3. Secretary, All India Council for Technical Education (AICTE).  
7th Floor, Chanderlok Building Janpath, New Delhi-110 001
- Chairman, University Grant Commission (UGC)  
Bahadur Shah Zafar Marg, New Delhi- 110 002
5. Secretary, Distance Education Council,  
IGNOU, Maidan Garhi New Delhi-68

Secretary, Medical Council of India,  
Pocket-14, Sector-8, Dwarka Phase-1, New Delhi-110077.

- State of Uttarakhand through its Secretary of Medical Education  
Dehradun.
9. Principal, Sheetal Institute of Biomedical Sciences, Ashutosh Nagar,  
Rishikesh, Dehradun.
  10. Director Dr. Ahuja Institute of Imaging Lab Medicine, 7 B Astly Hall  
Dehradun.
  11. Director, Directorate of Distance Education (DDE)  
Vinayaka Mission University, NH-47, Sankari Main Road,  
Ariyanoor, Salem-636 308 Tamil Nadu.
  12. Registrar, Punjab Technical University, Jalandhar-Kapurthala Highway,  
Near Pushpa Gujral Science City, Kapurthala, Punjab.
  13. Registrar AAI, Deemed University, Allahabad, Uttar Pradesh.
  14. JRN. Vidhyapeeth Deemed University, Udaipur (Rajasthan).
  15. Secretary, Paramedical Council of India, Sakurpur Delhi-110005.  
Ph. Chairman, 09690920944, Registrar 09837003933,  
<http://paramedicalcouncilofindia.com>
  16. Director, Paramedical Board of India, D-892, Street No-13, Ashok Nagar,  
Delhi-110093. <http://pmbi.in>
  17. Registrar, Paramedical Council PB, Mohali, S.C.O.37, Opp ESI Hospital,  
Phase-7 Inds. Area, Mohali. <http://www.paramedicalcouncil.com>.
  18. President, Indian Medical Association, I.M.A. House Indraprastha Marg,  
New Delhi-110 002.
  19. Institute of Public Health & Hygiene  
RZ-A-44 Mahipalpur Ext., New Delhi -110037.
  20. General Secretary, Paramedical Council India  
36, Pulin Avenue, Airport 2 ½ No. Gate, Kolkata -700081.  
Chairman, COUNCIL OF PARAMEDICAL (PB.)  
S.C.F. 135, Phase - 7 Moahli - 160061  
<http://www.councilofparamedical.com>.



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23. General Secretary, All India Medical Laboratory Technologists Association, 404, Capitol Tower, Fraser Road, Patna-800001.

..... Respondents.

To,  
The Hon'ble the Chief Justice and his other Companion Judges of the aforesaid Court.

The humble petition of the above named above most respectfully showeth as under.

1. That the Petitioner no.1 is an Association approved & recognized by State of Uttrakhand and registered office at Government Mela Hospital Haridwar, Uttrakhand. Petition is filling through its General Secretary Manoj Kumar Mishra working as lab technician in state of Uttarakhand & Petitioner No.2 to 16 are office bearers, Associate members and organizations members of Joint Forum of Medical Technologists of India (JFMTI) which is a national level Joint Forum of more than 20 Registered Medical Technologists Associations representing Paramedical/allied health professionals in the field of Medical Laboratory Technology, Radiology Technology, Radiation therapy Technology operation theatre Technology and Cardiology Technology etc. working under central Government, State Government, autonomous health institutions in India. List of registered associations which are part of JFMTI is attached herewith. The photocopy of the recognition of petitioner No.1 Association order dated 29.12.10 is being filed here with and mark as **Annexure No. 1** to this writ petition.

2. That the precise grievances of petitioners are that there is no central statutory council/Regulatory body for affiliation, recognition, registration of paramedical courses in the field of Medical Laboratory Technology Radiology Technology, Radiation therapy Technology, Operation theatre technology etc. and there is no statutory mechanism for preventing mushrooming of private Paramedical educational institutions which are run exclusively for commercial interest without any statutory obligation at central level and to provide registration/licensing for such paramedical professionals through Central statutory Council/regulatory body as already available for other health professional like for Pharmacists (Pharmacy Council of India), for Nurses (Indian Nursing Council), for Doctors (Medical Council of India) for Dentists (Dental Council of India). due to absence of such Regulatory body there are many problems for General public, job