PRIYANKA VERMA
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CGHC010385942026 2026:CGHC:43013

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5041 of 2026

1 - Anita D/o Prabhuram Aged About 24 Years R/o Village Lihagaon District Kondagaon C. G.

2 - Jwala Singh S/o Jai Lal Ram Aged About 24 Years R/o Village Bartikala District Balrampur Ramanujganj C.G.

3 - Ashish S/o Milandas Aged About 24 Years R/o Village Mudhabri District Khairagarh Chhuikhadan Gandai C.G.

4 - Anjali Rathore D/o Ram Gopal Rathore Aged About 24 Years R/o Sardar Vallabhbhai Patel Nagar Sada Colony Darri District Korba C.G.

5 - Vinanta D/o Bhagvat Aged About 28 Years R/o Village Halamkodo House No 129 Ward No 6 District Rajnandgaon C.G.

6 - Raja Ram Yadav S/o Kalaram Aged About 24 Years R/o Village Kurud Ward No 9 Shanti Nagar District Dhamtari C.G.

7 - Jhunjhun D/o Chinta Ram Sahu Aged About 24 Years R/o Village Kathadih Ward No 8 House No 79 District Raipur C.G.

8 - Priyanka Kumari Rathore D/o Thanda Rarm Rathore Aged About 31 Years R/o Village Khutadahra District Janjgir Champa C.G.

9 - Anjali Verma D/o Rajendra Verma Aged About 22 Years R/o Village Khilora Housing Board Colony Lig 26 Abhanpur District Raipur C.G.

(All Petitioner Are Passed Out Students Of B. Opto. Batch 2021-2025)

10 - Chitrekha Yadav D/o Beesahu Yadav Aged About 24 Years R/o Tihupara Ward No 9 Simga District Balodabazar Bhatapara C.G.

11 - Yogeshwari Sahu D/o Hemlal Sahu Aged About 25 Years R/o Village Kurud District Dhamtari C.G.

12 - Nuteshwari Samrath D/o Dharmuram Samrath Aged About 27 Years R/o Village Kurud District Dhamtari C.G.

... Petitioners

versus

1 - State Of Chhattisgarh Through Secertary, Higher Education Department 1st Floor Mahanadi Bhawan Nava Raipur Atal Nagar C. G.

2 - Chhattisgarh Paramedical Council Through Registrar C.G. Paramedical Council Mahanadi Bhawan, Naya Raipur Chhattisgarh.

3 - Shri Rawatpura Sarkar University Through Registrar, Shri Rawatpura Sarkar University, Nh 30 Post Mana New Dhamtari Road Raipur 492016 C.G.

4 - Chhatttisgarh Private University Regulatory Commission Through Chairman Sector 24 Block 7 B Ground Floor Nawa Raipur Atal Nagar Raipur C.G.

5 - University Grants Commission Through Secretary, University Grants Commission (UGC) Bahadur Shah Zafar Marg New Delhi

... Respondents

For Petitioners	:	Ms. Komal Yadav, Advocate
For State	:	Mr. Vivek Verma, GA
For Respondent No.3	:	Ms. Ananya Pandey, Advocate appears on behalf of Mr. Rahul Ambast, Advocate
For Respondent No.4	:	Mr. Arpit Parakh, Advocate on behalf of Mr. Animesh Tiwari, Advocate
For Respondent No.5	:	Mr. Jitendra Nath Nande, Advocate

Hon’ble Mr. Justice Amitendra Kishore Prasad
Order on Board

05/10/2026

1. Heard on I.A. No.02/2026, an application for exemption from filing typed copies of annexures.
2. Upon due consideration and for the reasons mentioned in the application, I.A. No. 02/2026 stands allowed.
3. The present Writ Petition has been filed for the following reliefs:-

10.1) This Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner from the possession of the respondents for its kind perusal.

10.2) That, this Hon'ble High Court may kindly be pleased to direct Respondent No. 2- C.G. Paramedical Council to provide Registration Certificate to the Petitioner.

10.3) That, this Hon'ble High Court may kindly be pleased to direct Respondent No. 2- C.G. Paramedical Council to make entries of the name of Petitioners in the register maintained by Respondent No. 2 and as a corollary also issue certificate of practice to the Petitioners.

10.4) Any other relief, which this Hon'ble High Court deems, fit in the facts and circumstances may also be granted in favour of the Petitioners, in the interest of Justice.

4. Learned counsel for the petitioners would submit that the petitioners are students of Shri Rawatpura Sarkar University, Raipur. They have passed their graduate degree in B. (Opto.) from Shri Rawatpura Sarkar University. He would further submit that Shri Rawatpura Sarkar University is established under C.G. Private University (Establishment and Operation) Act, 2005 as notified by the Higher Education Department, Govt. of C.G. He would also submit that the petitioners after completing their courses applied for the post of para-medical staff, but they were restrained to participate in the selection process on the ground that they do not have active registration with Paramedical Council, C.G. and also also not registered in a State register. It is contended that the petitioners approached Chhattisgarh Paramedical Council regarding their issue and to register their names in Paramedical Council, but respondent No. 2 refused to register and enroll the

petitioners in the State register maintained by them. He would further contented that Section 23 & 24 of the C.G. Sah Chikitsa Parishad Act, 2001 (for short "The Act 2001") provides power to Paramedical Council to maintain the State register of paramedical practitioners. Thus, he would pray for a direction to the respondent- C.G. Paramedical Council to provide application forms to the petitioners and to make entries of their names in the register maintained by the respondent authority.

5. On the other hand, learned counsel appearing for respective respondents would submit that under Section 2(D) of the Act 2001, degree, diploma or certificate in paramedical subject has been recognized and the council constituted under Section 3 and 4 of the Act, 2001 is empowered to take decision under Section 23 and 24 of the Act, 2001. The State(Public/private) Universities are recognized under Section 2(f) of U.G.C. Act, 1956 and are empowered to award degrees as specified under Section 22 of the Act, 1956. They would further submit that respondent Shri Rawatpura Sarkar University is established on 17.04.2018, under the C.G. Private Universities Act, 2005. They would also submit that the University is empowered to award degrees as specified by the U.G.C.

6. I have heard learned counsel for the parties and perused the documents.

7. Section 23, 24 & 40 of the Act, 2001 reads as under:-

> *"23. Powers and functions of Council. - (1) Subject to the provision-of this Act and the rules made thereunder, the Council shall exercise such powers and perform such functions as may he necessary for carrying out the purposes of this Act.*
> *(2) In particular and without prejudice to the generality of the foregoing provision, the powers and functions of*

the Council shall be-

(a) to maintain the State Register of Paramedical Practitioners;

b) to hear and decide appeals from the decision of the Registrar in such manner as may be prescribed by regulations;

(c) to prescribe by regulations a code of ethics for regulating the financial conduct of Registered Paramedical Practitioners;

(d) to reprimand a Registered Paramedical Practitioner, to suspend or remove the name from the State Register, or to take such other disciplinary action against him, as may, in the opinion of the Council be necessary or expedient;

(e) to permit any member to absent himself from three consecutive meetings of the Council;

(f) to promote innovations, research and development in establishment of new paramedical subjects;

(g) to formulate schemes for promoting paramedical education;

(h) to promote an effective link between paramedical education and medical education, Ayurvedic, Unani, Homeopathy and Biochemy systems and to promote research and development in these subjects;

(i) to lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations;

(j) to fix norms and guidelines for charging tuition fees;

k) to advice the State Government in respect of grant of charter to any paramedical institutions and Universities imparting paramedical education;

(l) to inspect or cause to be inspected any Paramedical Institution;

(m) to constitute a board for conducting the examination to maintain uniformity of standard;

(n) to perform such other functions as may be prescribed by rules;

(o) to conduct the elections of members under clause (xi) of sub section (1) of Section 4.

24. ***Recognition of paramedical qualification in certain cases.*** *- Where any Paramedical Institution is established or any Paramedical Institution opens a new*

or higher course of study except with the previous permission of the State Government in accordance with the provisions of this Act, no paramedical qualification granted to any student of such Paramedical Institution shall be a recognized qualification for the purpose of this Act.

40. ***Power of Council to prohibit entry in or to order removal from State Register name of any person.*** *- The Council may upon reference from the Registrar or otherwise, by order, prohibit the entry in, or order the removal from the State Register, the name of any person-*

a) who has been sentenced by a Criminal Court to imprisonment for an offence indicating in the opinion of the Council such a defect in character as would render the enrolment or continuance of his name in the State Register undesirable; or

(b) whom the Council after enquiry has found guilty of infamous conduct in any professional respect by a majority of two-third of members of the Council present and voting at the meeting :

Provided that an order shall not be passed under this section without giving a reasonable opportunity of being heard to the person concerned."

8. From bare reading of Section 23 of the Act, 2001, it appears that it deals with Powers and functions of council and it is categorically stated that the Council has power to maintain the State register of paramedical practitioners and to permit, re-permit registered para medical practitioner or remove the name from the state register.

9. Section 24 of the Act, 2001 deals with Recognition of paramedical qualification in certain cases "Where any Paramedical Institution is established or any Paramedical Institution opens a new or higher course of study except with the previous permission of the State Government in accordance with the provisions of this Act, no paramedical qualification granted to any student of such Paramedical Institution shall be a

recognized qualification for the purpose of this Act."

10. Section 40 of the Act, 2001 deals with Power of Council to prohibit entry in or to order removal from State Register name of any person, by reference of Registrar prohibit entry in, or order the removal from, the State register the name of any person, who has sentenced by a criminal court or found guilty of infamous conduct in any professional respect.

11. Taking into consideration the facts and above stated submissions, it is apparent that University is empowered to award degrees and respondent Chhattisgarh Paramedical Council is the authority to consider and register the entries of the name of practitioners of para-medical. The University has awarded degrees to the petitioners according to Section 22(1) of the U.G.C. Act, 1956 and Paramedical Council has not registered the names of the petitioners. At this juncture, the petition, is disposed of with a direction to the respondent Chhattisgarh Paramedical Council to grant registration to the petitioners by entering their name in the register of council by making entries in this regard. The name of petitioners in the register be kept and maintained for the same with a reasonable period of time. Respondent Chhattisgarh Paramedical Council is also directed to issue requisite certificate of practice. If it is found that the petitioners have obtained the degree unfairly, then the respondent Chhattisgarh Paramedical Council would be at liberty to prohibit entries of the petitioners under Section 40 of the Act, 2001.

12. With the aforesaid observation(s)/direction, this petition is disposed of.

Sd/-
(Amitendra Kishore Prasad)
Judge

Priyanka