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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2398/2026 & CM APPL. 11727/2026

NUCLEAR MEDICINE PHYSICISTS ASSOCIATION OF INDIA

NMPAI AND ORS

.....Petitioners

Through: Mr. Mayank Sharma, Advocate.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Sharang Dhulia, CGSC with Mr.
Chetan Jadon, Advocate and Ms.
Rupali Sinha, GP for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
19.02.2026

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1. The Petitioner is an association representing Nuclear Medicine professionals who are formally educated and clinically trained in Nuclear Medicine practice. This petition is representative in character and seeks to protect the professional interests of such personnel presently working in Nuclear Medicine Departments, handling, *inter alia*, unsealed radioactive sources, internal dosimetry, radiation protection and quality assurance specific to Nuclear Medicine.

2. Their principal grievance emanated from the draft documents circulated by Respondent No. 2, the National Commission for Allied and



Healthcare Professions¹ including the draft curriculum in the domain of Medical Physics and the draft “Registration of Allied and Healthcare Professionals Regulations, 2025”. The Petitioner apprehends that, if finalised in the present form, the draft curriculum and the linked eligibility/cadre structure would have the effect of disqualifying professionals with specialised nuclear medicine qualifications, even where they have long been discharging functions associated with Medical Physicists (Nuclear Medicine) in established hospital settings.

3. The Petitioner’s submission, however, is not limited to disagreement with the content of the draft. It also raises a statutory concern under the National Commission for Allied and Healthcare Professions Act, 2021.² The Petitioner relies on Section 10, which mandates the constitution of a Professional Council for every “recognised category”. The expression “recognised category” is defined under Section 2(q) to mean a category of allied and healthcare professionals specified in the Schedule to the Act. Under Serial No. 8 of the Schedule, the recognised category “Medical Radiology, Imaging and Therapeutic Technology Professional” enumerates, *inter alia*, “Nuclear Medicine Technologist” as one of the allied and healthcare professions, alongside “Medical Physicist” and other specified professions. To avoid ambiguity, the relevant extract from the Schedule is reproduced below:

<i>“Serial Number</i>	<i>Recognised Category</i>	<i>Allied and Healthcare Professional</i>	<i>ISCO Code</i>
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¹“NCAHP”

² “NCAHP Act”



8.	<i>Medical Radiology, Imaging and Therapeutic Technology Professional</i>	(i) Medical Physicist	2111
		(ii) Nuclear Medicine Technologist	3211
		(iii) Radiology and Imaging Technologist [Diagnostic Medical Radiographer, Magnetic Resonance Imaging (MRI), Computed Tomography (CT), Mammographer, Diagnostic Medical Sonographers]	3211
		(iv) Radiotherapy Technologist	3211
		(v) Dosimetrist	3211"

4. The Petitioner's grievance, therefore, has two distinct strands: first, that its objections to the draft curriculum and cadre/eligibility framework must be meaningfully considered before the draft is finalised; and second, that the statutory scheme contemplates representation of the identified professions within the relevant Professional Council and the absence of an effective representation affects their rights and is causing them prejudice.

5. It is important to emphasize that judicial review at the draft stage is ordinarily confined to ensuring that the statutory process is followed, that stakeholders likely to be affected are given a meaningful opportunity to be heard, and that the decision-making does not proceed on an evident misreading of the parent statute.

6. It is not in dispute that the draft was placed in the public domain and that the Petitioner has submitted a representation dated 6th July, 2025



pointing out the absence of adequate representation.

7. Since the matter remains at a draft stage, the appropriate course is to ensure that the consultative and statutory requirements are complied with and that Petitioner's concerns be taken into consideration before the draft is taken to finality.

8. Mr. Mayank Sharma, counsel for the Petitioner, states that, in addition to the representation already filed, a further consolidated representation, with supporting material, will be filed within two weeks from today. On filing of the same, the Respondents may be directed to consider the same.

9. As regards the representation and the statutory issue flagged under Section 10 read with the Schedule of the NCAHP Act, the Court is satisfied that the grievance is not frivolous. Where a parent statute identifies a profession within a recognised category and mandates a Professional Council for that category, the composition and representational balance cannot be treated as an internal administrative matter divorced from statutory purpose. Participation of affected professions is integral to credible standard-setting, particularly in specialised fields where patient safety, radiation protection and professional competence are closely intertwined.

10. Accordingly, the following directions are issued:

- (i) The Petitioner shall file its additional consolidated representation within two weeks from today.
- (ii) Respondent No. 2 shall consider the Petitioner's submissions on the draft curriculum and the draft regulatory/cadre framework and take a decision thereon, in accordance with law.
- (iii) Respondent No. 2 shall also take a decision on the Petitioner's representation dated 6th July, 2025 concerning representation of nuclear



medicine technologists within the relevant Professional Council, keeping in view Section 10 read with the Schedule of the NCAHP Act, and communicate the outcome to the Petitioner, within eight weeks from today.

(iv) The Respondents shall not finalise the impugned curriculum/cadre framework without due consideration of the Petitioner's submissions and the decision contemplated above.

11. It is clarified that the Court has not expressed any opinion on the substantive merits of the draft curriculum or the final content of the regulatory framework. All rights and contentions of the parties are kept open. If the Petitioner remains aggrieved after the decisions are communicated, it will be open to take recourse to remedies available in law.

12. With the above directions, the petition is disposed of along with pending application.

SANJEEV NARULA, J

FEBRUARY 19, 2026/hc