

ITEM NO.8 Court 4 (Video Conferencing) SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(s)(Civil) No(s).1037/2021

SOCIETY FOR INDIAN ACADEMY OF MEDICAL GENETICS Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

(FOR ADMISSION and IA No.118576/2021-EX-PARTE STAY)

Date : 01-10-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Sudhanshu S. Choudhari, AOR
Mr. Mahesh P. Shinde, Adv.
Ms. Rucha A. Pande, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 Mr Sudhanshu S Choudhari, learned counsel appearing on behalf of the petitioner, has fairly drawn the attention of the Court to the judgment of the High Court of Delhi dated 21 August 2020, by which an earlier writ petition filed by the petitioner was dismissed on the ground that the petitioner had no locus, there being no personal interest involved in the outcome of the petition. At the same time, liberty was granted to the petitioner to institute an appropriate petition. Hence, it has been submitted that the present proceedings have been instituted invoking the jurisdiction under Article 32 of the Constitution.
- 2 The challenge by the petitioner relates to the eligibility qualification for admission to the DM/DrNB (Medical Genetics) course. Mr Choudhari submitted that:

- (i) the erstwhile Medical Council of India had enquired into the nature of qualifications required for a super-specialization in Medical Genetics;
 - (ii) the Post Graduate Committee, at a meeting held on 7 March 2018, came to the conclusion that DM (Medical Genetics) entails clinical evaluation of patients and only post-graduates in clinical disciplines should be considered eligible;
 - (iii) the guidelines framed by the National Medical Commission on 25 February 2021 (Annexure P-36) specify that the eligibility for DM (Medical Genetics) would be a post-graduate degree in Medicine, Pediatrics or Obstetrics and Gynecology;
 - (iv) however, the Information Bulletin which has been issued for the NEET-SS Examination for 2021 (Annexure P-28) indicates that for the DM/DrNB course in Medical Genetics, any MD, MS, DND - broad-specialty programme fulfills the eligibility requirement; and
 - (v) AIIMS Delhi and PGIMER Chandigarh require an MD from the streams of General Medicine, Obstetrics and Gynecology or Pediatrics for admission to the same course.
- 3 Issue notice, returnable in two weeks.
- 4 Dasti, in addition, is permitted.

(SANJAY KUMAR-I)
AR-CUM-PS

(PARVEEN KUMARI PASRICHA)
ASSISTANT REGISTRAR