

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
the State of Andhra Pradesh Public Interest Litigation Rules, 2015

W.P. (PIL) NO. OF 2017

BETWEEN:

M/s. Healthcare Reforms Doctors Association,
having its office at Plot No. 222, Road No. 14,
Brundavan colony, Saroornagar, Hyderabad-35
(PAN card No. AABAH8216P)
rep its President /Authorised representative,
Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah,
aged about 34 years, R/o. Plot No. 222,
H. No. 10-6-229, Road No. 14, Brindavan colony,
Saroornagar, Hyderabad- 500 035

...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
P. B. 523, Sultan Bazaar, Hyderabad, Telangana 500095.
Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
Koti, Hyderabad-500 095.
Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

AFFIDAVIT

**1. PARTICULARS OF THE CAUSE/ORDER AGAINST WHICH THE
PETITION IS MADE:**

(i) Subject Matter in Brief:

The Petitioner is aggrieved by the action of the 1st respondent in issuing G.O. Rt. No. 1273 dated 6.10.2009 and G.O. Rt. No. 428 dated 29.06.2015. The aforesaid impugned government orders have been issued irrationally, hastily and arbitrarily and are in violation of section 15 (2) (a) & (b) of the Indian Medical Council Act,

1956 and code of medical ethics regulation 1.1.3 of Indian Medical Council (Professional conduct, Etiquette and Ethics) regulation, 2002. Further, the 1st respondent has failed to maintain adequate number of Community Health Centres (CHCs) and Primary Health Centres (PHCs) in the state. Further, time and again TSPSC has failed to recruit various categories of staff in the Health and Family Welfare Department, therefore there is an immediate need for establishing a separate “Medical Recruitment Board” for the state.

2. PARTICULARS OF THE PETITIONER: -

It is respectfully submitted that petitioner is a Society registered under the Andhra Pradesh Societies Registration Act, 2001 with Registration No. 581 of 2017. The petitioner society has been formed with a *bona fide* intention to bring reforms in the present Healthcare system especially in primary health care by which diseases can be prevented rather than be cured i.e. Universal Health Care system implementation. The society comprises of public spirited citizens who are interested in the general wellbeing of the people of the state and to take up issues pertaining to medical health of the people of the state. It is hereby affirmed that the petitioner herein has no personal interest in the subject matter of this petition.

2.1 LOCUS STANDI:

It is respectfully submitted that from since the registration of the Petitioner Society, we have been undertaking the following activities in tune with our aims and objectives:

- a. To work for reforms in Healthcare system, especially in rural sector priority health care.
- b. To promote ethical practice among registered Healthcare professionals.
- c. To conduct health awareness programs and health camps.
- d. To pursue for calendar rear recruitment of healthcare professionals by a separate Medical Recruitment Board for improved healthcare delivery.

- e. To work for total ban on quack practice which damages Healthcare services.
- f. To pursue for strict action for issuing pharmacy other than on-counter medicines.
- g. To work for minimum wages for duty doctors in private sector.
- h. To bring doctors under common platform to deal with assaults on healthcare professionals.

This petition is being filed in the larger interest of the life and health of the public more particularly in the rural and tribal areas.

It is submitted that the petitioner has in the recent past filed a Public Interest Litigation in W.P (PIL) No. 130 of 2017 challenging G.O.Ms. No. 40 & 41 dated 9.05.2017 issued by the 1st respondent herein and W.P (PIL) No. 133 of 2017 challenging G.O.Ms. No. 43 dated 9.05.2017 issued by the 1st respondent herein.

This Hon'ble court was pleased to pass interim orders dated 11.05.2017 and 18.05.2017 in in W.P (PIL) No. 130 of 2017 and interim order dated 25.05.2017 in W.P (PIL) No. 133 of 2017 and the same are pending for consideration before this Hon'ble court.

3. DECLARATION AND UNDERSTANDING OF THE PETITIONER:

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad, I am the President/Authorised representative of the Petitioner Society.

- 3.1 That the Present Writ Petition is being filed by way of Public Interest Litigation and the Petitioner does not have any personal interest in the matter. This petition is being filed in the larger interest of the medical health of the public and I am authorized by the Petitioner Society to move any authority for espousing this cause including this Hon'ble Court.
- 3.2 That the entire costs of the litigation including Advocate's fee and other charges are being borne by the Petitioner and that the Society has PAN card bearing No. AABAH8216P and e-mail address is hrda4people@gmail.com.

3.3. That a thorough research has been conducted in the matter raised through this Petition and all the relevant documents pertinent to the subject are discovered by the Petitioner to this Petition. The Petitioner has collected information by following the procedure stipulated by the Authorities.

3.4 That to the best of the Petitioner's knowledge and research, the issue raised was not dealt with or decided and that a similar or identical petition was not earlier filed by the Petitioner society. I submit that, I am filing this PIL after obtaining the relevant documents and after submitting oral and written representations and after having been completely satisfied the RMPs / PMPs are playing with the lives of ignorant and poor rural and tribal people, that the public life and health is at stake because of poor delivery of medical and health services to public due to inadequate number of Community Health Centres (CHCs) and Primary Health Centres (PHCs) and lack of qualified medical professionals at various levels of health care system i.e. from PHC to tertiary hospital therefore, there is a necessity for timely recruitment for filling vacancies.

3.5 That the Petitioner society understands that in the course of hearing of this petition, the Hon'ble Court may require any security to be furnished towards costs or any other charges and the Petitioner shall comply with such requirements. This issue was not dealt with or decided earlier and the Petitioner has not filed any similar or identical petition earlier. I also understand that in the course of hearing of this petition, I may be required to furnish any security towards any cost or any other charges and I will comply with such requirement.

4. Facts in Brief:

a. It is submitted that certain unqualified persons have been practicing allopathy medicine unauthorizedly treating patients in the name of first aid in unauthorised

centres both in rural and urban areas without registration. The respective district authorities have no check over the said centres.

- b. In the year 2009, the aforesaid persons approached the then government of Andhra Pradesh for integrating their services in the Healthcare system through a process of training, examination and certification to be organised under the aegis of Andhra Pradesh Para Medical Board.
- c. Acceding to the request of the aforesaid persons, the erstwhile government of Andhra Pradesh has issued G.O. Rt. No. 1273 dated 6.10.2009 according permission to the Secretary, A.P. Para Medical Board to start the Phase-I training programme in 22 centres in the state to the aforesaid persons who have been referred to as Rural Medical Practitioners (RMPs) / Private Medical Practitioners (PMPs). Under the aforesaid government order, the Commissioner of Family Welfare and EO Principal Secretary to Govt., HM&FW Dept., was authorised to sanction an amount of Rs. 4.32 crores during the financial year 2009-10 and to release Rs. 2.88 crores immediately to HMRI under MOU already entered into and to enable them to start the training programme. Government has also constituted a committee with certain members to study and review once in a month, the nature of difficulties that have been experienced and suggest the remedies to plug loopholes in the training process to overcome such difficulties for expansion of training program in all other centres or as many as possible in multiples as a phase II program. During the said period 12,900 RMPs / PMPs were trained.
- d. It is submitted that the aforesaid government order has been issued hastily and is bad in law for the following reasons:
 - i. the legal issues of the programme have not been attended to before starting the said programme;

- ii. no such programmes are in existence in any of the states in the country;
 - iii. impact of the training has not been scientifically examined;
 - iv. objectives of the training program and outcome have not been clearly laid down;
 - v. there is no monitoring system to monitor the training program in district / Andhra Pradesh Vaidya Vidhana Parishad (APVVP) hospitals;
 - vi. the ethical issues in rendering the training have not been attended to &
 - vii. the Para Medical Board is not authorised to conduct such courses as there is no such provision in the statute.
- e. It is further submitted that the application of medical knowledge and clinical skills need certain standards laid down by the 5th respondent. RMPs / PMPs are not qualified in any Indian system of medicine. They do not have any authorised professional body either under Central Government and state government. **They do not possess any qualifications for practicing allopathy medicine. It is submitted that bringing such unqualified persons into mainstream has diluted the quality of medical care.** It is submitted that no proper records or log books have been submitted with regard to Phase 1 training program. There was no scientific approach in the modalities of phase 1 training program. There was no exposure to clinical training as well as tertiary health care system. It is submitted that even a small error by RMPs / PMPs will lead to public criticism as well as legal issues. Phase 1 training was totally unsatisfactory as a result examination could not be conducted.
- f. Overlooking all the aforementioned short comings in the earlier government order, the government of Telangana issued G.O. Rt. No. 428 dated 29.06.2015. By virtue of the said order, the government has accorded permission to the Secretary, Telangana State Para Medical Board, Hyderabad to start community Para Medic training program to RMPs / PMPs already registered with Para

Medical Board in Telangana state with certain guidelines. The government has authorised Commissioner of Health and Family Welfare to sanction an amount of Rs. 46,01,840/- to meet the expenses of the said training during the financial year 2015-16.

- g. The guidelines fixed by the government under the said order are as follows:
- i. treat acute minor ailments within the ambit of protocols and training status;
 - ii. identify and refer to a qualified provider chronic and other cases of emerging morbidity and follow up the treatment, care and administer drugs as prescribed by qualified practitioner;
 - iii. act as first responder and provide first aid, CPR, arrest bleeding, positioning and mobilizing till qualified care is accessed;
 - iv. provide home care for chronically ill, handicapped, HIV positive, under a qualified provider advice;
 - v. maintain records of cases and report unusual occurrences of cases;
 - vi. treatment and control of illness like primary treatment of minor ailments;
 - vii. home treatment, primary health worker- treatment;
 - viii. risk identification and referral;
 - ix. early identification, emergency transport, treatment at appropriate facility;
 - x. emergency event management, identification;
 - xi. appropriate first aid and primary care;
 - xii. access to appropriate institute, notification of unusual incident, management of pregnancy, child care, handicapped and old;
 - xiii. however, the community paramedics shall not call themselves as doctors;
 - xiv. they shall not prescribe any schedule medicines &
 - xv. they shall not dispense any medicines other than over the counter drugs.
- h. Further, it is stated in the said order that the RMPs / PMPs shall undergo community paramedic training for a period of 1 years and shall pass the

examination conducted by the Telangana State Para Medical Board. The passed candidates will be awarded with “Community Paramedic” certificate.

- i. **It is submitted that the RMPs / PMPs have flouted the guidelines framed in the aforementioned G.O and have grossly misused the said G.Os. PMPs / RMPs are illegally misusing the word “doctor” before their names in the prescriptions, the name board of their clinics or first aid centres and are deceiving innocent tribal / rural people by misrepresenting to them that they can cure all kinds of diseases and provide all kinds of Medical Services that doctors provide.**
- j. Further, RMPs and PMPs are using beds in their clinics or first aid centres and are admitting persons as in-patients and are providing Medical Services such as injecting saline, prescribing unwanted and unnecessary schedule medicines such as antibiotics, steroids in high dosage, conducting blood tests and performing deliveries to pregnant women and are playing with the lives of ignorant and poor rural and tribal people. The RMPs / PMPs have even started their illegal operations in urban areas. Shockingly, a few of them are even thriving in and around the Hyderabad city. It is submitted that the 2nd and 4th respondent for reasons best known to them have failed to take any action against such erring RMPs and PMPs.
- k. Further, RMPs / PMPs are referring patients to private hospitals for a commission. Further, the RMPs / PMPs are imposing conditions on the private hospitals to admit such patients referred by them irrespective of the need or necessity with a *mala fide* intention to earn more commission out of the hospitalization charges earned from the patients. Several Super-Speciality hospitals in the urban areas are offering lucrative incentives to the RMPs / PMPs as they send a steady stream of

patients to these hospitals which is resulting in mutual enrichment of the RMPs / PMPs and hospitals at the cost and expense of ignorant rural / tribal people.

1. Further, the RMPs / PMPs who have over a period of time developed strong roots in the village / area owing to their nativity or familiarity, are by hook or crook driving away qualified doctors who volunteer to serve in the rural and tribal areas out of fear that the doctors might become a threat to their existence / illegal practice / income.

- m. In fact, the expression “Medical Practitioners” used within the term “**Rural Medial Practitioners (RMPs) / Private Medical Practitioners (PMPs)**” is **barred by the Indian Medical Council Act, 1956**. It is submitted that as per section 15 (2) (a) of the Indian Medical Council Act, 1956 (102 of 1956), “No person other than a medical practitioner enrolled on a state medical register shall hold office as physician or surgeon or any other office (by whatever designation called) in government or in any institution maintained by a local or other authority”. Further, as per section 15 (2) (b) of the aforesaid Act, “No person other than a medical practitioner enrolled on a state medical register shall practice medicine in any state”. Further, as per section 15 (3) of the aforesaid Act, “Any person who acts in contravention of any provision of sub-section (2) shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both”

- n. It is submitted that as per code of medical ethics regulation 1.1.3 of Indian Medical Council (Professional conduct, Etiquette and Ethics) regulation, 2002, “No person other than a doctor having qualification recognised by Medical Council of India and registered with Medical Council of India / State Medical Council is allowed to practice modern system of medicine or surgery. A person obtaining qualification in any other system of medicine is not allowed to practice modern system of medicine in any form.

- o. As per clause (iv) of section 20 of Andhra Pradesh Medical Practitioners Registration Act 1968 and Amended Act No 10 of 2013, the Telangana state Medical Council is permitted to visit or inspect any hospital or Nursing Home or places where alleged unethical practices are being taken place and where unqualified persons or quacks or doctors who do not belong to modern system of scientific medicine are prescribing drugs of modern medicine. In spite of which, the 2nd respondent has chosen not to take any action against the erring RMPs / PMPs.
- p. It is submitted that the Community Health Centres (CHCs) and Primary Health Centres (PHCs) are the back bone of the Medical Health of a state more particularly in the rural and tribal areas catering to the needs and necessities of the public.
- q. It is submitted that **CHCs are established and maintained by the state government under Minimum Needs Programme (MNP) / Basic Minimum Services (BMS). As per minimum norms, a CHC is required to be manned by four medical specialists i.e. surgeon, physician, gynaecologist and paediatrician supported by 21 paramedical and other staff.** It has 30 in-door beds with one OT, X-ray, labour room and laboratory facilities. It serves as a referral centre for 4 PHCs and also provides facilities for obstetric care and specialist consultations.
- r. It is submitted that PHC is the first contact point between village community and medical officer. The PHCs were envisaged to provide an integrated curative and preventive health care to rural population with emphasis on preventive and promotive aspects of health care. The PHCs are established and maintained by the

state governments under the MNP / BMS programme. As per minimum requirement, a PHC is to be manned by a medical officer supported by 14 paramedical and other staff. Under National Rural Health Mission (NRHM) there is a provision for two additional staff nurses at PHCs on contract basis. It acts as a referral unit for 6 sub centres and has 4-6 beds for patients. The activities of PHC involve curative, preventive, promotive and family welfare services.

- s. **As per Rural Health Statistics, 2015-16 issued by Ministry of Health and Family Welfare, Government of India, there is a short fall of 41% CHCs and 13% PHCs as per 2011 population in Telangana. There is a short fall of 50 CHCs and 100 PHCs in the state. It is submitted with the growing population in the state, the aforesaid shortfall has risen over a period of time.**
- t. It is submitted that public life and health is at stake because of poor delivery of medical and health services to public due to lack of qualified medical professionals at various levels of health care system i.e. from PHC to tertiary hospital therefore, there is a necessity for timely recruitment for filling vacancies. It is submitted that the previous exercise for recruitment to filling vacancies for various categories of staff in the Health and Family Welfare Department was done in the year 2013. It is submitted although several government orders have been issued by the 1st respondent for recruitment by Telangana State Public Service Commission (TSPSC) in the year 2016, TSPSC has failed to complete the recruitment process. It is submitted that time and again TSPSC has failed to recruit medical professionals. **As such, there is an urgent need for establishing a separate “Medical Recruitment Board” for the state to effectively achieve the said objective.**
- u. It is pertinent to mention here that a special **Medical Services Recruitment Board (MRB)** has been established by the Tamil Nadu government for making

direct recruitment to various categories of staff in the Health and Family Welfare Department. The said MRB has tremendously improved the medical and health services more particularly in the rural / tribal areas in Tamil Nadu. Looking at the success of the said MRB there is an imminent need and necessity for establishing a separate Medical Recruitment Board in the state of Telangana. The Medical Recruitment Board will not only drastically improve the medical and health conditions of the people in the state of Telangana but at the same time it will put an end to the illegal practices of the RMPs / PMPs in the state and will also create job opportunities for several medical professionals. It is submitted that in the year 2013, the Directorate of Public Health & Family Welfare conducted recruitment for 1190 posts of Civil Assistant Surgeon / Dental Assistant for which 9137 candidates applied. The above demonstrates that the medical practitioners are not averse and have always been eager to serve in Rural areas.

v. It is submitted that the petitioner made several representations to the 1st respondent bringing the aforesaid aspects to the notice of the state government and requested the 1st respondent to immediately take preventive / corrective steps to improve the medical and health services in the state. However, for reasons best known to it, the 1st respondent has failed to take any action on the said matter.

w. **It is submitted that the 1st respondent instead of encouraging quack practices and wasting public money by training and issuing certificates who eventually misuse such official training leading to hazardous health effects on ignorant, poor rural / tribal people, ought to be improving infrastructure in rural health sector along with calendar year recruitment of qualified health professionals so that poor and uninformed rural / tribal people are benefited.**

5. **SOURCE OF INFORMATION**

The Petitioner Society collected the information by following the procedure stipulated by the Authorities, under Right to Information Act, government web portals and other information available on the public domain as well as through news items, from general public etc.

6. NATURE OF EXTENT OF INJURY CAUSED/APPREHENDED:

RMPs / PMPs are playing with the lives of ignorant and poor rural and tribal people. Further, the public life and health is at stake because of poor delivery of medical and health services to public due to inadequate number of Community Health Centres (CHCs) and Primary Health Centres (PHCs) and lack of qualified medical professionals at various levels of health care system i.e. from PHC to tertiary hospital therefore, there is a necessity for timely recruitment for filling vacancies.

7. ANY REPRESENTATION ETC MADE:

It is respectfully submitted that, Petitioner had made representations dated 28.06.2017, 9.09.2017 to the 1st respondent herein and the Hon'ble Health Minister, Government of Telangana. The Petitioner also made several oral representations to the Respondents, but no action has been taken in respect of the above said issue.

8. DELAY, IF ANY

There is no delay in filing this petition between the last representation and the filing of this PIL instant, as this is a continuous cause of action. Therefore, in the event of this Hon'ble Court coming to a conclusion that there is any delay in approaching this Hon'ble Court, the same may be condoned.

9. DOCUMENTS RELIED UPON ARE: -

- i. Copy of G.O. Rt. No. 1273 dated 6.10.2009.
- ii. Copy of G.O. Rt. No. 428 dated 29.06.2015.

- iii. Copy of Rural Health Statistics, 2015-16.
- iv. Copy of Prescriptions issued by RMPs / PMPs.
- v. Copy of the letter dated 10.10.2017 issued by DMHO, Jayashankar Bhupalapalli district.
- vi. Copy of Indian Medical Council Act, 1956 (102 of 1956).
- vii. Copy of RTI reply bearing No. 1669/TSMC/RTI/2017 dated 11.09.2017 issued by the 2nd respondent.
- viii. Copy of RTI reply bearing Rc. No. 811/Plg.A/2017 dated 29.08.2017 issued by the Director of Public Health and Family Welfare, Telangana State, Hyderabad.
- ix. Copy of RTI reply bearing Rc. No. 43/RTI/PIO/2017 dated 25.07.2017 issued by the Commissioner, Telangana Vaidya Vidhana Parishad, Hyderabad.
- x. Copy of representation date 28.06.2017 submitted by the petitioner to the 1st respondent.
- xi. Copy of representation date 9.09.2017 submitted by the petitioner to the Hon'ble Health Minister, government of Telangana.
- xii. Copy of representation date 9.09.2017 submitted by the petitioner to the 1st respondent.
- xiii. Copy of the order dated 11.05.2017 passed by the Hon'ble High court in WP (PIL) No. 130 of 2017.
- xiv. Copy of the order dated 18.05.2017 passed by the Hon'ble High court in WP (PIL) No. 130 of 2017.
- xv. Copy of Certificate of registration bearing No. 581 of 2017 dated 20.04.2017 along with document No. 1 issued by the Registrar of Societies, Registration and stamps department, government of Telangana.
- xvi. Copy of Minutes of Meeting dated 3.09.2017 passed by the General body of the Petitioner.

- xvii. Copy of PAN card of the petitioner society.
 - xviii. Copy of bank statement of the petitioner.
 - xix. Copies of PAN card and Aadhar card of Dr. K. Mahesh, President of the petitioner society.
 - xx. Copy of bank statement of Dr. K. Mahesh, President of the petitioner society
9. The Petitioner herein has no other alternative or efficacious remedy except to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India.
10. The Petitioner herein has not invoked jurisdiction of any other Court, Tribunal, Quasi-Judicial Authority, seeking the same relief, which has been sought for in the present Writ Petition.
11. **RELIEF PRAYED IS AS FOLLOWS:**
- It is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus,
- a. setting aside the operation of G.O. Rt. No. 1273 dated 6.10.2009 in the state of Telangana and G.O. Rt. No. 428 dated 29.06.2015 issued by the 1st respondent as illegal and arbitrary, without jurisdiction and consecutively cancel "Community Paramedic" certificate if any issued to Rural Medical Practitioners (RMPs) / Private Medical Practitioners (PMPs) by 3rd respondent;
 - b. direct the 1st respondent to take steps to prevent Rural Medical Practitioners (RMPs) / Private Medical Practitioners (PMPs) from running clinics or First-Aid centres or any other centres in any form or manner and consecutively prevent the Rural Medical Practitioners (RMPs) / Private

Medical Practitioners (PMPs) from discharging the functions of a qualified medical practitioner either actively or passively;

- c. direct the 1st respondent to immediately establish 50 Community Health Centres (CHCs) and 100 Primary Health Centres (PHCs) in the state as per the recommendation of Rural Health Statistics by Ministry of Health and Family Welfare, Government of India;
 - d. direct the 1st respondent to immediately establish a Medical Services Recruitment Board in the state for making direct recruitment to various categories of staff in the Health and Family Welfare Department &
 - e. pass such other order(s) as are deemed fit and proper in the circumstances of the case.
12. **INTERIM PRAYER:**
- Pending disposal of the writ petition, it is also prayed that this Hon'ble Court in the interest of justice may be pleased to suspend the operation of G.O. Rt. No. 1273 dated 6.10.2009 in the state of Telangana and G.O. Rt. No. 428 dated 29.06.2015 issued by the 1st respondent and pass such other order(s) as this Hon'ble Court may deem fit and proper in the circumstances of the case.
13. **CAVEAT:**
- It is respectfully submitted that no caveat has been received of lodging a caveat by the opposite party/Respondents.
14. I submit that, I did not face Contempt of Court proceedings under the Contempt of Courts Act, 1971.
15. I have not been ordered by this Hon'ble Court or any other court not to file public interest litigation cases.

16. I submit that, I am not involved in a Civil, Criminal and Revenue dispute.
17. I hereby solemnly state under oath affirm and declare that the writ petition has being instituted purely in Public Interest and not at the instance of any other person or organization other than the petitioner.
18. I hereby solemnly state on oath and affirm and declare that the questions raised in the Writ Petition have not been raised or agitated earlier and that there are no other cases(s) or Petition(s) filed or that are pending before this Hon'ble Court or any other forum or court to the best of my knowledge, research and belief.

Solemnly affirmed and signed
on this the day of October, 2017
at Hyderabad.

DEPONENT

Before Me:
Advocate, Hyderabad

VERIFICATION

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad, President/Authorised representative of the petitioner/person acquainted with the facts of the case, do hereby declare that the contents of para Nos. to are true and correct to the best of my knowledge and belief. The contents of para No's to are based on the legal advice tendered by my counsel and believe it to be true and correct.

Hence verified on this the day of October, 2017 at Hyderabad.

ADVOCATE

DEPONENT

ANNEXURE – 5

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
the State of Andhra Pradesh Public Interest Litigation Rules, 2015

W.P. (PIL) NO. OF 2017

BETWEEN:

M/s. Healthcare Reforms Doctors Association,
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...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
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Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
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Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

AFFIDAVIT FILED UNDER RULE 5 OF PIL RULES, 2015

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad,
being the President/Authorised representative of the petitioner herein, do hereby
solemnly state on oath affirm and declare as hereunder.

1. I am the deponent herein, as such I am well acquainted with the facts of the case.
2. I state that my mobile number is +91 9912878749, my e-mail i.d is munna2k1@gmail.com and that my address and other particulars furnished in the above cause title are true and correct.
3. I am herewith annexing copies of my Aadhar card and PAN card towards my I.D and address proof as required under Rule 5 (b) of PIL Rules, 2015.
4. I submit that, I did not face Contempt of Court proceedings under the Contempt of Courts Act, 1971.
5. I have not been ordered by this Hon'ble Court or any other court not to file public interest litigation cases.
6. I submit that, I am not involved in a Civil, Criminal and Revenue dispute generally or which has a nexus with present W.P.(PIL).
7. I am not a party in any pending civil or criminal cases generally or that has any nexus with the subject matter of the above writ petition, filed.

Solemnly affirmed and signed
on this the day of October, 2017
at Hyderabad.

DEPONENT

Before Me:

Advocate, Hyderabad

VERIFICATION

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad, President/Authorised representative of the petitioner herein, being the petitioner/person acquainted with the facts of the case, do hereby solemnly affirm and state and declare that what is stated in the paragraphs is true and correct to the best of my knowledge and belief.

Hence verified on this the day of October, 2017 at Hyderabad.

ADVOCATE

DEPONENT

ANNEXURE – 6

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
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...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
P. B. 523, Sultan Bazaar, Hyderabad, Telangana 500095.
Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
Koti, Hyderabad-500 095.
Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

DECLARATION FILED UNDER RULE 6 OF PIL RULES, 2015

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad,
being President/Authorised representative of the petitioner herein, do hereby solemnly
state on oath affirm and declare that the present writ petition (PIL) is being instituted
purely in public interest and not at the instance of any other person or organization other
than the petitioner.

DECLARANT

ANNEXURE – 7A

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
the State of Andhra Pradesh Public Interest Litigation Rules, 2015

W.P. (PIL) NO. OF 2017

BETWEEN:

M/s. Healthcare Reforms Doctors Association,
having its office at Plot No. 222, Road No. 14,
Brundavan colony, Saroornagar, Hyderabad-35
(PAN card No. AABAH8216P)
rep its President /Authorised representative,
Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah,
aged about 34 years, R/o. Plot No. 222,
H. No. 10-6-229, Road No. 14, Brindavan colony,
Saroornagar, Hyderabad- 500 035

...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
P. B. 523, Sultan Bazaar, Hyderabad, Telangana 500095.
Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
Koti, Hyderabad-500 095.
Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

AFFIDAVIT FILED UNDER RULE 7A OF WRIT PROCEEDINGS RULES

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad,
being President/Authorised representative of the petitioner herein, do hereby by solemnly
state on oath affirm and declare as hereunder.

“I hereby affirm and state on oath that the petitioner herein has no personal interest in the subject matter of this petition. The petitioner hereby undertakes to pay exemplary costs and/or compensatory damages as directed by this court in the event of a contrary finding upon adjudication by the court that the Writ Petition is filed for extraneous/personal considerations or with an oblique motive.”

Verified in my presence at Hyderabad on this the day of October, 2017.

ADVOCATE

DEPONENT

VERIFICATION

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad, being President/Authorised representative of the petitioner herein, being the petitioner/person acquainted with the facts of the case, do hereby declare that the contents of the above paragraph are true and correct to the best of my knowledge and belief and legal advice tendered by my counsel and believe it to be true and correct.

Hence verified on this the day of October, 2017 at Hyderabad.

ADVOCATE

DEPONENT

ANNEXURE – 8

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
the State of Andhra Pradesh Public Interest Litigation Rules, 2015

W.P. (PIL) NO. OF 2017

BETWEEN:

M/s. Healthcare Reforms Doctors Association,
having its office at Plot No. 222, Road No. 14,
Brundavan colony, Saroornagar, Hyderabad-35
(PAN card No. AABAH8216P)
rep its President /Authorised representative,
Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah,
aged about 34 years, R/o. Plot No. 222,
H. No. 10-6-229, Road No. 14, Brindavan colony,
Saroornagar, Hyderabad- 500 035

...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
P. B. 523, Sultan Bazaar, Hyderabad, Telangana 500095.
Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
Koti, Hyderabad-500 095.
Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

DECLARATION FILED UNDER RULE 8 OF PIL RULES, 2015

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad,
being President/Authorised representative of the petitioner herein, do hereby solemnly
state on oath affirm and declare that the question raised in the writ petition (PIL) has not
been raised or agitated earlier and there are no other case(s) or petition(s) filed or that are

pending before this Hon'ble court or any other forum(s) or court to the best of my knowledge, research and belief.

DECLARANT

ANNEXURE – 10

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**
(Rule 4(e) of The High Court of Judicature at Hyderabad for the State of Telangana and
the State of Andhra Pradesh Public Interest Litigation Rules, 2015

W.P. (PIL) NO. OF 2017

BETWEEN:

M/s. Healthcare Reforms Doctors Association,
having its office at Plot No. 222, Road No. 14,
Brundavan colony, Saroornagar, Hyderabad-35
(PAN card No. AABAH8216P)
rep its President /Authorised representative,
Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah,
aged about 34 years, R/o. Plot No. 222,
H. No. 10-6-229, Road No. 14, Brindavan colony,
Saroornagar, Hyderabad- 500 035

...PETITIONER

AND

1. The State of Telangana.,
Represented by its Principal Secretary,
Health, Medical and Family Welfare Department,
Secretariat buildings, Hyderabad.
2. Telangana State Medical Council,
P. B. 523, Sultan Bazaar, Hyderabad, Telangana 500095.
Represented by its Registrar.
3. Telangana State Paramedical Board,
#306, Directorate of Medical Education Office Complex,
Koti, Hyderabad-500 095.
Represented by its Secretary.
4. Drug Control Administration,
Drug Control Bhavan, Vengal Rao Nagar, Hyderabad-500 038.
Represented by its Director.
5. Medical Council of India, Pocket-14, Sector-8,
Dwaraka, Phase-I, New Delhi,
represented by its Member Secretary.

...RESPONDENTS

AFFIDAVIT FILED UNDER RULE 10 OF PIL RULES, 2015

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad,
being President/Authorised representative of the petitioner herein, do hereby by solemnly
state on oath affirm and declare as hereunder.

1. I state that neither the petitioner nor myself have any personal gain or private motive or oblique in filing the above writ petition/PIL.
2. I hereby under take that we shall pay costs as may be ordered by this Hon'ble Court, in the event that this Hon'ble court comes to a conclusion that the writ petition is frivolous or that it has been filed for extraneous reasons or that it lacks *bona fides*.
3. I state that all the information based on which the writ petition has been filed has been gathered through following the procedure stipulated by the Authorities, under Right to Information Act, government web portals and other information available on the public domain as well as through news items, from general public etc. I undertake to furnish any additional information as may be directed by this Hon'ble Court.
4. I undertake that if I seek permission to withdraw the above writ petition or if I do not attend the hearing of the case either by ourselves or through my advocate, I shall bear the costs incurred by the respondents and any such additional costs as may be imposed in the discretion of this Hon'ble Court.
5. I undertake that in the event I wish to withdraw the above writ petition, after the same is admitted, I shall do so only by filing an appropriate petition and not by any other method, except with the leave of this Hon'ble Court.

HYDERABAD.

Dt. .10.2017

DEPONENT

VERIFICATION

I, Dr. K. Mahesh Kumar, S/o. Sri. K. Veeraiah, aged about 34 years, R/o. Hyderabad, being President/Authorised representative of the petitioner herein, being the petitioner/person acquainted with the facts of the case, do hereby declare that the contents

of the above paragraphs are true and correct to the best of my knowledge and belief and legal advice tendered by my counsel and believe it to be true and correct.

Hence verified on this the day of October, 2017 at Hyderabad.

ADVOCATE

Signature of the petitioner