



“C.R.”

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE D. K. SINGH

THURSDAY, THE 10TH DAY OF JULY 2025 / 19TH ASHADHA, 1947

WP(C) NO. 35039 OF 2024

PETITIONER/S:

- 1 KERALA STATE UNITED NURSES ASSOCIATION-TEACHERS ASSOCIATION
REGISTRATION NO.8/6/2012, 2ND FLOOR, IVY CREST APARTMENTS, 15TH STREET,
KIZHAKKAMPAATTUKARA, THRISSUR DISTRICT – 680005, REPRESENTED BY ITS STATE
PRESIDENT, MR. THOMAS VARGHESE, AGED 39 YEARS, S/O VARGHESE E.T,
EDACKAMCHERIL HOUSE, THIRUVANIYOOR P.O, ERNAKULAM, PIN - 682308
- 2 NEETA V.M
AGED 41 YEARS
D/O MANI V.K, RAJAGIRI, WEST FORT, THRISSUR -680004. SECRETARY, KERALA STATE
UNITED NURSES ASSOCIATION-TEACHERS ASSOCIATION, PIN - 680005

BY ADV SRI.RAJIT

RESPONDENT/S:

- 1 UNION OF INDIA
REPRESENTED BY SECRETARY, MINISTRY OF HEALTH AND FAMILY WELFARE, ROOM
NO. 348; 'A' WING, NIRMAN BHAVAN, NEW DELHI-, PIN - 110011
- 2 INDIAN NURSING COUNCIL
8TH FLOOR, NBCC CENTER, PLOT NO. 2, COMMUNITY CENTER, OKHLA PHASE-I NEW
DELHI, REPRESENTED BY PRESIDENT., PIN - 110020
- 3 STATE OF KERALA
REPRESENTED BY THE SECRETARY, MINISTRY OF HEALTH AND FAMILY WELFARE,
FXX2+7FH, GOVERNMENT SECRETARIAT ANNEXE, 2, THIRUVANANTHAPURAM,



KERALA, PIN - 695001

- 4 DIRECTOR
DIRECTORATE OF MEDICAL EDUCATION DEPARTMENT, MEDICAL COLLEGE, MEDICAL
COLLEGE KUMARAPURAM RD, CHALAKKUZHI, THIRUVANANTHAPURAM, KERALA, PIN
- 695011
- 5 SECRETARY
MINISTRY LABOUR AND EMPLOYMENT, ROOM NO.: 120, SHRAM SHAKTI BHAWAN,
RAFI MARG NEW DELHI, PIN - 110001
- 6 KERALA NURSES AND MID WIVES COUNCIL
FWXR+RJ4, RED CROSS RD, JAI VIHAR, KUNNUKUZHY, THIRUVANANTHAPURAM,
KERALA, REPRESENTED BY THE REGISTRAR., PIN - 685035
- 7 KERALA UNIVERSITY OF HEALTH SCIENCES
(KUHS) MEDICAL COLLEGE P.O, THRISSUR, KERALA, REPRESENTED BY THE REGISTRAR,
PIN - 680596
- 8 ADDL.R8: ASSOCIATION OF THE MANagements OF CHRISTIAN SELF FINANCING
NURSING COLLEGES OF KERALA,
44/3879, AMCSFNCK BHAVAN, JANATHA STADIUM ROAD, PALARIVATTOM P.O.,
ERNAKULAM, REPRESENTED BY THE PRESIDENT, PIN - 682025.
- 9 ADDL.R9: PRIVATE NURSING COLLEGE MANAGEMENT ASSOCIATION OF KERALA,
OLIVE 2A, SFS CYBER PALM, NEAR MGM SCHOOL, KARIMANEL P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY THE PRESIDENT, PIN - 695583;

ADDL.R8 AND R9 ARE IMPEADED AS PER ORDER DATED 04.02.2025 IN I.A.2/25 IN
WP(C) 35039/2024.

BY ADVS. SHRI.BINNY THOMAS, SC, KERALA UNIVERSITY OF HEALTH SCIENCES
SHRI.P.SREEKUMAR (SR.),DR ABRAHAM P MEACHINKARA SC
SHRI.TONY GEORGE KANNANTHANAM, MR VIVEK MENON SC
SRI.THOMAS GEORGE, MS PREMCHAND R NAIR SR GP
SHRI.EBEE ANTONY
SHRI.AJITH GEORGE KOOLA

THIS WRIT PETITION (CIVIL) HAVING FINALLY HEARD ON 10.07.2025, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

JUDGMENT

“C.R.”

The petitioner is an association of teachers teaching in private nursing colleges in the State of Kerala. The grievance of the petitioner is that despite the Regulations framed by the Indian Nursing Council, *namely* Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020, the teachers teaching in nursing colleges are being paid a pittance against Note iv of Regulation 5D of the Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020, which mandates that salary of the teaching faculty in private Colleges of Nursing should not be less than what is admissible in the Colleges of Nursing under State/Central Government or as per the UGC scales. It is also submitted that despite the petitioners having raised their grievance, no effective measures have been taken to ensure compliance with the said provision of the Indian Nursing Council (Revised Regulations and Curriculum for



B.Sc. (Nursing) Program) Regulations 2020.

2. There is no denial of the Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020, and they have not been challenged by anyone. Therefore, the Regulations are binding on all concerned. If private nursing colleges are not implementing the mandate of the Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020, it is the duty of the State Government and the statutory body *i.e.*, the Indian Nursing Council to ensure the implementation of Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020. If any private nursing college is not implementing the Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020, punitive action of de-recognition, etc, must be taken against such nursing college.



3. Considering the aforesaid fact and the mandate of the law, this Court finds that the grievance of the petitioner is *bona fide* and justified. Therefore, the following directions are issued:

- (i) The State Government is directed to issue a show cause notice to the private nursing colleges for not implementing Note iv appended to Regulation 5D of the Indian Nursing Council (Revised Regulations and Curriculum for B.Sc. (Nursing) Program) Regulations 2020.
- (ii) After considering their response, the State Government shall submit the report and recommendations to the Indian Nursing Council/ the 2nd respondent for taking appropriate action against the erring private colleges for not implementing the said provision of granting salary to the teaching staff not less than what is admissible in the Colleges of Nursing under State/Central government or as per the UGC scales.



(iii) The Indian Nursing Council shall act upon the recommendation of the State Government against each private college in respect of the report from the State Government.

With the aforesaid directions, the writ petition stands closed.

Sd/-

D. K. SINGH

JUDGE

jjj



APPENDIX OF WP(C) 35039/2024

PETITIONER EXHIBITS

Exhibit P1	A TRUE COPY OF THE NOTIFICATION OF REVISED REGULATIONS BROUGHT OUT BY THE INDIAN NURSING COUNCIL DATED 05.07.2021
Exhibit P2	A TRUE COPY OF THE ORDER GO (P) NO.54/2020/H&FWD ISSUED BY THE GOVERNMENT OF KERALA DATED 11.09.2020
Exhibit P3	A TRUE COPY OF ONE SUCH FORMAT OF THE REPRESENTATION FILED BEFORE THE NURSING COUNCIL
Exhibit P4	A TRUE COPY OF ONE SUCH FORMAT OF THE ABOVE REPRESENTATION FILED BEFORE THE KERALA UNIVERSITY OF HEALTH SCIENCES
Exhibit P5	A TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE PRINCIPAL SECRETARY, MINISTRY OF HEALTH DATED 12.03.2024
Exhibit P6	A TRUE COPY OF THE CIRCULAR NO. 41323/2022/ACII/NSG/A3/KUHS ISSUED BY THE 7TH RESPONDENT TO ALL THE SELF -FINANCING NURSING INSTITUTIONS DATED 13.9.2023
Exhibit P7	A TRUE COPY OF THE CIRCULAR NO. 41323/ACII/NSG/A5/KUHS/2022 DATED 21.5.2024 ISSUED BY 7TH RESPONDENT
Exhibit P8	A TRUE COPY OF THE CIRCULAR NO. G2/68501/2023/N.C DATED 10.07.2023 ISSUED BY 6TH RESPONDENT ALONG WITH THE HAND WRITTEN COPY
Exhibit P9	A TRUE COPY OF THE COMMUNICATION DATED 03.01.2025 BY THE 2ND RESPONDENT TO THE PETITIONER
Exhibit P10	A TRUE COPY OF THE LETTER DATED 03.12.2024 ISSUED BY THE 2ND RESPONDENT TO THE 6TH RESPONDENT