



GOVERNMENT OF KARNATAKA

No: HFW 212 RGU 2016

Karnataka Government Secretariat,
M.S. Building,
Bangalore, dated 14-12-2016.

From:

The Principal Secretary to Government,
Department of Health and Family Welfare
(Medical Education),

To:

- 1) The Registrar,
Rajiv Gandhi University of Health Sciences,
4th T Block, Jayanagar,
Bangalore-560041.
- 2) The Registrar,
Karnataka State Nursing Council,
#71, Nightingale towers, A Street,
6th Cross, A.R. Extension, Near Movie land theatre,
Gandhinagar, Bangalore-560009.

Sir,

Sub: Regarding the power for grant or otherwise of recognition and approval to schools/colleges imparting education/training for nursing and fixation of intake of the course.

Ref: Letter of the Registrar, RGUHS No. RGU/AFF/MISS-01/2016-17, dated 07-09-2016.

With reference to the above subject, I am directed to inform that Government has obtained the legal opinion of the Hon'ble Advocate General, Karnataka and the opinion is as follows.

“In terms of the various provisions of law, under several enactments and the Judgments of the Hon'ble High Court of Karnataka, including the Judgment of the Division Bench, the judgments which have reached finality and the legal principle enunciated therein, it is opined that the grant of 'recognition of qualifications' and prescription of syllabus are to be regulated by the Indian Nursing Council, while., insofar as the grant of recognition and approval for Colleges, imparting training and education for nursing are concerned in terms of the judgment of the Hon'ble High Court of Karnataka in the case of UOI v. KMJ College of Nursing (2005) AIR KAR HCR 1568 and the full bench judgment of the High Court of Kerala in 2010 SCC Online Ker 1236 will be regulated by the State Enactments and by the State Authorities.

Accordingly, the power for grant or otherwise of recognition and approval to colleges for imparting training for nursing and fixation of intake of the course will vest with the State Government, along with the Karnataka State Nursing Council and the Rajiv Gandhi University of Health Sciences and not in the Indian Nursing Council.”

Therefore, the Government of Karnataka has decided to withdraw the earlier Letter of the Government bearing No. HFW 453 RGU 2015, dated: 16-02-2016.

Henceforth it is directed to consider the recognition and approval to the schools & colleges for imparting education/training for nursing and fixation of intake of the course as per the State Government orders based on the recommendations of the Karnataka State Nursing Council and Rajiv Gandhi University of Health Sciences.

This is for kind information and for further needful action.

Yours faithfully,



(M.B. DHOTRE)

Under Secretary to the Government-2,
Department of Health and Family Welfare
(Medical Education)

14.12.16