

**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 27497 of 2025**

(LAW STUDENTS ASSOCIATION Vs THE STATE OF MADHYA PRADESH AND OTHERS)

Dated : 07-08-2025

Shri Alok Vagrecha - Advocates for the petitioner.

Shri Vishal Baghel - Present in person.

Shri Sanjay K. Agrawal - Senior Advocate with Shri Siddharth Kumar
Sharma - Advocate for the respondents No.2 and 4.

Shri Abhijeet Awasthi - Dy. Advocate General for the respondent
No.1/State.

The Office is requested to reflect the name of Shri Gaurav Tiwari,
Advocate for the M.P. Online in the cause list.

2. Learned counsel for the petitioner has asked for the full data relating to the Paramedical Colleges. Learned Senior Counsel appearing on behalf of the Paramedical Council has informed the Court that the data contains third party information and therefore, he is objecting to same being handed over to the petitioner. We have considered the objection of the learned Senior Advocate appearing on behalf of the Paramedical Council. The limited information and data to which this Court has been taken through by the petitioner, *prima facie*, reflects that certain irregularities have taken place.

3. Learned counsel for the respondents No.2 and 4/Paramedical Council has also addressed the Court in relation to SLP (Civil) No.20721/2025 by which the order passed by this Court on 16.07.2025 in W.P. No.27497/2025 has been stayed by the Hon'ble Supreme Court. Learned counsel for the Paramedical Council has also submitted that the Hon'ble Supreme Court has also questioned the *locus standi* of the respondents No.2 and 4 (before the Supreme Court) to question the actions of the Paramedical Council. The question of locus has to be answered by respondents No.2 and 4 before the Supreme Court. However, while passing the order dated 16.07.2025, this Court has *prima facie* taken cognizance of what appears to the illegalities/irregularities in the manner in which recognition was granted to certain Paramedical Colleges in the State of M.P., which learned counsel for the petitioner has revealed through photographs that the same establishment has been used for the Nursing Colleges and the Paramedical Colleges and only a flex sign is pulled over the upper portion of the college as and when the inspection takes place either for the Nursing College or for the Paramedical College. It was on that basis that this Court took a *prima facie* view that all may not be well in the manner in which recognitions have been granted by the Paramedical Council and

Nursing Council to these colleges, and as it relates to public health, and the fact that those who pass out from Paramedical Colleges or Nursing Colleges may be employed in the various hospitals of the State of M.P., and if they are receiving their training from institutions which are fly by night operatives, such persons may pose a grave risk to the health of the people of the Madhya Pradesh.

4. Learned counsel for the petitioner has asked for the documents pertaining to the grant of recognition to the various paramedical colleges by the Paramedical Council. Objecting to this, learned Senior Advocate appearing on behalf of the respondents No.2 and 4/Paramedical Council has submitted that as the question of *locus standi* of the petitioner itself is pending before the Supreme Court, it may not be appropriate to hand over the documents to the counsel for the petitioner at this stage. We are in agreement with the submission put forth by the learned counsel for the Paramedical Council as the *locus standi* of the petitioner herein itself is under scrutiny before the Supreme Court, it may not be appropriate to hand over the documents pertaining to recognition granted to the Paramedical Colleges to the petitioner at this juncture, for if the Supreme Court holds that the petitioner/Law Students Association does not have a *locus standi* to question the recognitions given to the

Paramedical Colleges, then the possession of the data relating to the grant of recognition to the colleges by the Paramedical Council with the petitioners would be undesirable.

5. Ld. counsel for the Paramedical Council is submitting to this Court a soft copy of the documentation pertaining to the recognition granted by the M.P. Paramedical Council to the various Paramedical Colleges in the State of Madhya Pradesh, as is already available in soft copy today itself, the remaining shall be given to this Court as and when they are digitized.
6. Learned counsel for the petitioner has drawn the Court's attention to that part of the minutes of the meeting of the Executive Council of the Madhya Pradesh Medical Science University which requires the Quality Council of India to conduct an inspection of the Paramedical Institutions. Learned counsel for the petitioner has desired that a direction be given to the Quality Council of India that the report to be filed by them gives specific finding that the infrastructure they have inspected are exclusively being used as Paramedical Colleges, and that the same infrastructure is not being shared for use as a nursing college or any other establishment. Learned Senior Counsel appearing on behalf of the Paramedical Council has taken grave objection to this. He has also submitted that this Court is needlessly

expanding the scope of this petition, which is not so required. He has further submitted that there are four institutions/organizations, which are looking into the establishment and conduct of the Paramedical Colleges and a specific direction to that effect is not required to be passed by this Court. He has also posed the question to this Court whether it has no faith in any of the institutions vested with the task of inspecting and granting recognition to paramedical colleges? The question is justified and warrants an answer from this Court.

7. The conundrum that the Court faces is similar to the metaphorical farmer who fences his field to protect his crop from animals foraging for food at night, only to wake up the next morning to witness the fence eating the crop. Regulatory authorities and investigating agencies are the proverbial fence. The wellbeing and safety of the average citizen of this state (and the country) depends on the discharge of function by these institutions with unquestionable and absolute integrity and dedication, with adherence to norms and regulations being nothing short of 100%. But is that how it has been in recent times?
8. In August 2023, the CBI filed a corruption case against an Assistant Director of the Enforcement Directorate in a five crore pay off case

to protect a Delhi based businessman in the Delhi Excise Policy case of 2020-21¹. An extract from the order of the High Court of Delhi in a case being investigated by the CBI is telling and it reads thus **“It is one of the unique cases of rampant corruption in CBI, ED and such other Departments, which shakes the entire edifice of our Executive and the Investigating machinery which have the primary duty of investigations in crime and bring the culprits to face the Penalty Corruption. From the averments made in the Complaint it emerges that it is not one stand alone case of corruption by the Government official, but it reflects a large conspiracy amongst the officials of various Departments who have in a nexus and take bribes for giving undue advantage to the approaching party or even to impact and interfere in the fair investigations and the functioning of these Government Department”**². It was a case where one of the officers of the CBI was caught red handed taking a bribe of rupees 3.5 lakhs³. Then in July 2025 came the admission of the Ministry of Finance that there have been at least eleven instances of corruption by the officer of the

¹ FIR against ED official who got bribes to save bizman in Delhi excise case: CBI | Latest News India - Hindustan Times

² One Unique Case Of Rampant Corruption In CBI, ED, Which Shakes The Entire Edifice Of Our Executive & Investigating Machinery: Delhi HC Grants Custody Of Three Government Officials

³ From Investigators to Accused: CBI Officers Caught in Web of Corruption - The420.in

Enforcement Directorate in the past five years when officers of the Enforcement Directorate have been arrested and charged for accepting bribes⁴. These, of course, are those cases which have been detected. The site www.inventia.co.in has referred to the report of “Transparency International” in collaboration with “Local Circles” and has given a list of the ten most corrupt institutions in India and interestingly, at number one, is the “Judiciary” with the CBI and ED coming in at number three⁵. As recently as July 2025, the CBI is probing the allegations of corruption against the President of the Pharmacy Council of India and his associates of having allegedly amassed rupees five thousand four hundred crores as bribe for granting recognition to eight hundred and seventy Pharmacy Colleges in just thirteen days⁶. Sad it is but true, that if scams are documented and collated, they alone would fill a library. The country and its people are not far from being called a nation of characterless people ceaselessly marching on the path to perdition.

9. The problem is one of trust deficit and not the complete absence of trust. In the initial stage of the PIL examining the Nursing Colleges Scam (the Ld. Counsel for the Nursing Council has requested this

⁴ Bribery Allegations Surface Against ED Officials; 11 Cases Reported in 5 Years

⁵ Top 10 Most Corrupt Departments In India - Inventiva

⁶ CBI Probes Pharmacy Council Corruption, Chief Raided For Multi-Crore Scam

Court not to refer to it as a “scam” but that is how it is already being referred to in the public domain since January 2025 itself⁷), the Court had directed the CBI to carry out the verification of the Nursing Colleges and give its report. Several Officers of the CBI were allegedly corrupted by some of the Nursing Colleges on account of which the CBI itself registered an FIR against those Officers. So, the question is, who can the Court believe in such a situation, where money speaks and integrity has no value for some within these institutions. The kind of environment that exists today is that it is not a crime to be dishonest as long as one is not caught. As already stated hereinabove, this is not a case of absence of trust, but one of trust deficit. So, while the presumption in the eyes of the Court is that all officers in these institutions are honest till strongly suspected to be otherwise on account of their actions or omissions calling for a probe into their actions, and till such time, it would be in order if this Court is watchful without being intrusive, into the actions of these institutions while they probe the sanctity of the process by which the colleges in question were granted recognition. In such a scenario, this Court finds no harm in the prayer of the learned counsel for the petitioner that the QCI be directed to specifically endorse in the

⁷ Nursing Scam: CBI Report on 254 Nursing Colleges Submitted to HC: Nursing Scam Update | Bhopal News - Times of India

course of inspecting the Paramedical Colleges that no other establishment/institution like Nursing College or any other Educational Institution is sharing the resource and space from where the Paramedical College is running. Such a step shall only be by way of abundant caution, and it would hurt nobody. Therefore, this Court directs the QCI that for every Paramedical College that they inspect for compliance and suitability, shall also endorse that there is no other institution/establishment being run from the same infrastructure.

10. List this case on 12.08.2025 along with W.P. No.1080/2022.

(ATUL SREEDHARAN)
JUDGE

(ANURADHA SHUKLA)
JUDGE

Shruti