



# KARNATAKA MEDICAL COUNCIL

(Statutory Body, established under Karnataka Act No. 34 of 1961)

#16/6, 2nd Floor, Miller Tank Bed Area, Vasanthnagar, Bangalore - 560 052.

Tele : 080-22200888 Fax : 080-22200300

E-mail : kar.medi\_council@yahoo.co.in Website : www.karnatakamedicalcouncil.com

**DR. H. VEERABHADRAPPA**

*President*

**DR. KANCHI PRALHAD V.**

*Vice President*

**DR. B.P.S. MURTHY**

*Registrar*

11 January 2020

Ref. No. KMC / ... E.H.E. / R.O. / Jan / 2020.

Date.....

To,

The Returning Officer,  
Karnataka Medical Council &  
Joint Registrar of Cooperative Societies,  
Sahakar Soudha, 3<sup>rd</sup> floor, No.146,  
Margosa Road, Malleshwaram,  
Bangalore- 560 003

Respected Sir,

**Subject: Inclusion of names of doctors who have not renewed as per Section 19 and 26 of the Karnataka Medical Registration Act, 1961 and Rule 43 of the Karnataka Medical Registration Rules, 1963.**

**Ref:** 1. Order dated 10.01.2020 Election.KMC: JRCS-1:2019-20

2. Letter dated 10.01.2020 Election.KMC: JRCS-1:2019-20

Kindly in response to your letter dated 10. 01. 2020 we state the following for your consideration:

We have sent the list of medical practitioners on 30-12-2019 published under Section (1) of Section 26 of Karnataka Medical Registration Act, 1961 to constitute a preliminary Electoral Roll for the purpose of Election to Karnataka Medical Council.

You were required to call for objections with regard to entries or omission in the preliminary Electoral Roll and you were required to pass an order on each and every claim or objection made by the non renewed doctors and pass

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please quote your KMC registration number in your correspondence

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an order thereof if the non inclusion was in violation of the Karnataka  
Medical Registration Act, 1961 and Karnataka Medical Registration Rules, 1963.

To our knowledge that there are 1300 Objections made by 1300 number of non renewed doctors whereas, you have included several names in the final electoral list of persons which includes those who have not filed their objections.

It appears a statement was made on your behalf before the Hon'ble High Court of Karnataka that you shall pass an order on 17.01.2020 whereas, you have already uploaded the final electoral roll without following the due process of law prescribed under Section 26 read with Rule 4 of the Rules calling for objections .

Your goodself office has issued an order dated 10.01.2020 exercising the power under Rule 4 (3), Karnataka Medical registration Rules, 1963 and the Order of the Hon'ble High Karnataka date 10.01.2020 wherein, your good self office has exercised its power under Rule 4(3) of the rules and stated that, the objections were invited against the preliminary voters list published by the Karnataka Medical Council as per Section 26 of the Act and further stated that, the names of the non renewed members were removed from the list by the Registrar, Karnataka Medical Council whereas, the Karnataka Medical Council is solely entitled to include the names of the doctors who have renewed their registration in consonance of the requirements laid under the Act. The Registrar does not possess any powers to include or exclude names in the preliminary list submitted to your office.

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Date.....

You have assumed the power under Rule 4 (3) and passed an order allowing the non renewed doctors to be included in the revised voters list and have observed that, the rules are prospective in effect from date of amendment.

This order was immediately followed by another letter dated 10.01.2020 requesting the Registrar, Karnataka Medical Council to publish the

revised list wherein the names of the non renewed doctors who have not complied the renewal requirements under Section 26 of the Act and communicated the under signed order which is contrary to law .

You have included names of the doctors who have failed to get themselves renewed as prescribed by Section 26 of the Act. The list submitted by Karnataka Medical Council as prescribed under Section 26 read with Section 19 of the Act, 1961 contains the names of the doctors who have got themselves renewed as per Section 19, Karnataka Medical Registration Act, 1961. The Objectors/non renewed doctors have no right to seek for inclusion of names at this juncture without getting themselves renewed. The inclusion of names of ineligible, non renewed doctors by you is illegal and contrary to law. The Preparation of the final electoral list of voters by you only authorises to include the name of such doctors who have complied with Section 26 and 19 of the Karnataka Medical Registration Act, 1961 and the voters list containing the names of such doctors is required to be published, any publication of voters list of doctors who have not renewed will be illegal and allowing such non renewed doctors in election and voting is illegal and contrary to the Karnataka Medical Registration Act, 1961 and the Karnataka Medical Registration Rules, 1963.

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We cannot be compelled to publish a list wherein we are required to include the names of the doctors who have failed to comply with renewal pre requisites, any adverse consequences on account of your actions and your failure to comply with the necessary requirements strictly laid out in law will not make the Karnataka medical council responsible.

Section 19 of the Karnataka Medical Registration Act, 1961 is amended by the state to make the doctors more efficient and up to date in the field of medicine. If the doctors do not renew their registration while complying the requisite medical education training the object of amending the act and the rules will be defeated and the public interest will suffer, therefore, the Karnataka medical council requests you to adhere to the requirements in the interest of public otherwise the doctors who are not qualified for continuation of registration will defeat the object. Hope you will reconsider the order.

Sd/-

**Registrar**

**Karnataka Medical Council.**  
Registrar

The Karnataka Medical Council

**Copy to: The Principal Secretary, Health & Family Welfare (Medical Education) M.S. Building, Bangalore-560001- for kind information.**