

SARVODAYA LAW COLLEGE
INSTRUCTIONS TO STUDENTS

THE PRACTICAL EXAMINATION FOR VI SEMESTER OF 3 YEARS LL.B WILL BE HELD ON 23rd and 24th March 2019 AT 10.00 AM,

PRACTICAL RECORD SHOULD BE HAND WRITTEN AND SHOULD BE BINDED. NO TYPED OR XEROX MATTER WILL BE ACCEPTED. STUDENTS SHOULD USE GREEN SHEETS. ALL THE RECORDS SHOULD BE SUBMITTED ON THE DAY MENTIONED ABOVE AFTER SIGNING THE REGISTER DURING VIVA-VOCE. IF YOU FAIL IN SUBMITTING THE SAME, YOU WILL BE TREATED AS ABSENT.

INSTRUCTIONS FOR SUBMITTING THE RECORD

1. There shall be a content page. **(INDEX)**
2. The covering sheet of the record shall indicate the name of the **examination, subject, registration number and center code.**
3. All the above Moot Court Memorials and internship record should be **hand written on green sheets on one side only.**
4. The record should be bound **neatly in one book.**
5. Certificates should be enclosed. (**Certificates of Advocate & Legal aid Authority for having visited the Advocate office & Legal Aid board).**)
6. **Students should come in white Shirt & Black Pant.(Advocate Dress code)**

Note:

NAME OF THE UNIVERSITY: KARNATAKA STATE LAW UNIVERSITY

NAME OF THE COLLEGE: SARVODAYA LAW COLLEGE

CENTER CODE: 434

NAME OF EXAMINATION: VI SEMESTER 3 YEARS LL.B, PRACTICAL / MOOT COURT EXAMINATION-2018

SUBJECT: CLINICAL COURSE – IV: MOOT COURT EXERCISE AND INTERNSHIP.

REGISTER No:

Moot Problem I

Dr. Anand, due to scarcity of Allopathic doctors to serve into primary Health Centers filed application on 11.10.2014 for permitting the Ayurvedic Doctors to use allopathic medicine during emergency conditions.

In pursuance of the application filed by Dr. Anand the State Government on 05.01.2017 constituted a committee to submit report on permitting the usage of Allopathic medicine by Ayurvedic doctors during emergency. As per the report, state Government passed an order permitting the Ayurvedic doctors to use allopathic medicine during emergency provided they get training from the bridge program organized by the District Hospitals in collaboration with the IGNOU. On 04.02.2017 the state Government issued notification permitting the Ayurvedic doctors to use allopathic medicine in pursuance of the order dated 05.01.2017

The Ministry of Health and family welfare addressed a letter to all the state to facilitate the bridge program for Ayurvedic practitioners to be conducted by the respective District Hospital in collaboration with the IGNOU. The State Government issued a circular for providing bridge program for Ayurvedic Practitioners on 25.06.2017.

The Ayush Department, Government of Karnataka addressed a letter to the Dr. Anand on 03.07.2018, informing about the order passed by the Government regarding permitting the Ayurvedic doctors to use allopathic medicine. Whereas Dr. Anand wrote a letter on 21.07.2018 to the Health Minister, Government of Karnataka to implement the order permitting the Ayurvedic doctors to use allopathic medicine.

Mission Director (National Health Mission) Department of Health and family welfare Government of Karnataka, herein issued a notification on 23.01.2019 for recruiting the B.Sc. Nursing candidates to the post of Mid-level Health Providers (MLHP) in the Health and wellness centers of certain districts.

Dr. Anand herein is an Ayurvedic practitioner and also member of the Central Council for Indian Medicine, who is the root cause for getting the order of Ayurvedic doctors to use allopathic medicine during emergency.

Such being the case, despite the availability of trained Ayurvedic doctors in the state, the Government has issued notification to recruit candidates having B.Sc. Nursing degree (Nurses) for the post of Health Providers in the Health and Wellness Centers. The Recruitment of ineligible candidates particularly in the matter of health of general public is hazardous to the interest of public. The notification issued by the state is contrary to the health and welfare of citizens who have faith in the health service provided by the state. Therefore Dr. Anand is constrained to file Public Interest Litigation. The constitution guarantees protection of life and personal liberty to every citizen. The right to live with human dignity, enshrined in Article 21, derives from the Directive Principles of State Policy and therefore includes protection of health. Further, the right to health is integral to the right to life and the government has a constitutional obligation to provide health facilities. Failure of a government hospital to provide a patient timely medical treatment results in violation of the patient's right to life. Similarly, the state is under obligation to maintain health service.