

Government of Jammu and Kashmir
Directorate General of Indian Systems of Medicine, J&K
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Subject: - Mainstreaming of AYUSH under NRHM-reg.

C I R C U L A R

Whereas, complaints are pouring in that AYUSH doctors working in PHCs/CHCs/District Hospitals under NRHM are allegedly indulging in prescribing allopathic medicines under the very nose their immediate supervising authorities, to the patients and are mostly put on night/emergency rosters for which they were not hired and this has led to non-availability of choice of treatment to the patients under one roof during the daily OPDs in PHCs/CHCs, resulting in defeating the very basic objective of the scheme and the purpose for which AYUSH doctors are hired ; and

Whereas mainstreaming of AYUSH being an integral component of mission was attempted in the state in the back drop of guidelines of Ministry of Health,GOI, to revitalize and to reinforce the existing public Health care delivery System, specifically to strengthen its human resources, infrastructure ,drug supply and supported by advocacy/IEC for AYUSH time tested remedies and the establishment of intersectoral linkages to facilitate AYUSH practices in the best interest of patient care with natural, safe and friendly accessible and affordable treatment; and

Whereas, circular instructions have been issued by this office from time to time impressing upon AYUSH doctors doctors working in PHCs/CHCs/Medical Supdtts of Hospitals to stick to prescribing their own System and providing choice of treatment to patients under one roof and not to transgress as also the CMOs/Medical Superintendents/BMOs of Health Institutions were advised to ensure that doctors working under their administrative control do not resort to cross prescription and the AYUSH doctors are not there merely to fill gap/substitute for shortage of staff but he is required to be essentially available in the OPD so that choice of treatment is ensured; and

Whereas, prescribing of allopathic medicines by AYUSH doctors is against the provisions of J&K Ayurvedic & Unani practitioners Act 1959 as also made clear vide Govt. order NO. 257-HME of 2009 dated.18-06-2009 issued under endorsement No.HD/195/ISM/2006 dated.18-06-2009 and vide Govt. order No.308-HME of 2006 dated.17-05-2006 that

doctors registered for one System of Medicine are not authorized to prescribe medicines of other System and defaulters are liable for punitive action; and

Whereas the Deptt of ISM is facing Public Interest Litigation in the Hon'ble High Court where petitioner is seeking, inter alia, mandamus to command the respondents not to constrain the AYUSH doctors to prescribe allopathic medicines and also restrain them to assign night duties in emergencies at the cost of OPD service of AYUSH. There is also a compliant on this subject pending before the Hon'ble SHRC.

Now, therefore,

- i) AYUSH doctors/Practitioners are directed in their own interest and in the public interest, to stick to their own system of medicine for which they have been hired and not to prescribe allopathic medicines in any circumstances/pressure failing which defaulters shall be dealt under law.
- ii) AYUSH doctors shall ensure their presence in the daily OPDs to provide choice of treatment to the patients visiting their institutions(Dispensaries/PHCs/CHCs etc ,the very fundamental purpose of integration and they shall display OPD sign boards with names,with degree at conspicuous place.
- iii) The defaulters who are not visible in daily OPDs shall be recommended for termination of contract/cancellation of registration and non-extension in their contract etc
- iv) The CMOs/Medical Superintendents of Hospitals/EMOs are again advised not to put AYUSH doctors on roster/night/emergency duties to discourage prescribing of allopathic medicine for which AYUSH doctors have no legal protection and also at the expense of daily AYUSH OPD the basic objective of the scheme(i.e to provide Choic of treatment to patients under one roof in PHCs/CHCs/District Hospitals) failing which the responsibility shall lie squarely on the shoulders of supervisory authority/DDOs.
- v) The ADMOs/CMOs/BMOs/Medical Superintendents having a supervisory role are advised to ensure that AYUSH doctors working in the institutions under their respective administrative control do not prescribe allopathic medicine and in case of default by AYUSH doctors disciplinary action should be initiated and matter referred to competent authority for suitable punitive action as has been laid down in Govt order NO.308-HME of 2006 dt. 17/5/2006 pursuant to directions of Hon'ble High Court orders passed in PIL G.M.Khan V/S State.

- vii) AYUSH doctors are directed to attend the monthly review meetings with AYUSH District OFFICERS (ADMO concerned) in addition to their scheduled meetings with CMOs/BMOS on regular basis.

Deviation, if any will be viewed seriously.


(Ab. Kabir Dar)
Director General,
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Srinagar

No:-DISM/Gen/camp-S/5502-53

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Copy to the:-

1. Commissioner/Secretary to Govt. Health and Medical Education Department Civil Sectt. J&K Jammu.
2. Director Health Services Kashmir/Jammu
3. MD, NRHM J&K, Jammu.
4. Joint Director, Information for wide publicity through print media .
5. Deputy Director ISM Kashmir/Jammu.
6. All Assistant District Medical officers/Nodal Officers Kashmir/Jammu.
7. All Chief Medical officers/BOMs/Medical Supdtts of Health Department Jammu/Kashmir.