

Government of Jammu and Kashmir
Directorate of Indian Systems of Medicine J&K
Indira Chowk, Jammu

Subject: - Prescribing of Medicines unauthorisedly- legal action thereof.

C I R C U L A R

Whereas, there are inputs that some AYUSH doctors particularly those working in PHCs/CHCs/District Hospitals under NRHM are indulging in cross prescription by prescribing allopathic medicines to the patients for which they are not authorized under law/rules; and

Whereas, circular instructions have been issued by this office from time to time vide No.DISM/Gen/609-22 dated.21-05-2010,No.DISM/Gen/3520-57, dated.29-08-2011, No.DISM/783-830 dated.07-02-2011 & No.DISM/1891-1905 dated.18-03-2011 etc by virtue of which AYUSH doctors were impressed upon to adhere to their own System of Medicine for which they are registered and not to prescribe medicines of other System for which they are not registered; and

Whereas, by virtue of said circulars the CMOs/Medical Superintendents/BMOs of Health Institutions were also advised to ensure that doctors working under their administrative control do not resort to prescribing of other medicine for which they are not registered under Law; and

Whereas, a joint Circular was also issued by Directorate of ISM & Directorate of Health Services Kashmir vide No.DISM/PMU/CIR/69 dated.29-07-2011, directing all AYUSH doctors to stick to prescribing their own System and providing choice of treatment to patients under one roof, Govt. of India under NRHM look on important strategic intervention of mainstreaming of AYUSH with the objective to reinforce the existing public Health care delivery System with natural, safe and friendly remedial which are live lasted, accessible and affordable to ensure total integration, however, resorting to prescribing of other System of Medicine by AYUSH doctors violates the very basic principles of integration & mainstreaming of AYUSH under NRHM not to transgress otherwise defaulters will be taken to task; 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

Whereas, it has also been made clear 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, realizing the need for integration of services; and

Whereas, only those Ayurvedic/Unani practitioners who are registered under J&K Ayd/Unani practitioners Act 1959 with J&K Board of Ayurvedic/Unani Systems of Medicine are authorized to prescribe Ayurvedic/Unani System; and

Whereas, only those Homeopathic practitioners who are registered under J&K Homeopathic Practitioners Act, 2003 read with amendment Act, 2009 are entitled to prescribe Homeopathic Medicine; and

Whereas no person other than a practitioner enrolled on a state Medical register shall practise modern scientific Medicine in any state as per section 15(2) (b) of Indian Medical Council Act,1956.

Now therefore, it is again impressed upon AYUSH doctors/Practitioners to prescribe medicines of their own System of medicine for which they are registered and refrain from prescribing allopathic medicine.

The ADMOs/CMOs/BMOs/Medical Superintendents have a supervisory role and are advised to ensure that AYUSH doctors working in the institutions under their 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.

Deviation, if any will be viewed seriously.

Sd/-
(Dr. Ab. Kabir Dar)
Director
Indian Systems of Medicine
J&K, Jammu

No:-DISM/Gen/9208-20

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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. Special Assistant to Hon'ble Minster for Health and Medical Education Department Civil Sectt. J&K Jammu.
4. Deputy Director ISM Kashmir/Jammu.
5. All Assistant District Medical officers/Nodal Officers Kashmir/Jammu.
6. All Chief Medical officers/BOMs/Medical Supdtts of Health Department Jammu/Kashmir.
7. Officer file.

