

**GOVERNMENT OF INDIA  
HEALTH AND FAMILY WELFARE  
LOK SABHA**

UNSTARRED QUESTION NO:4235

ANSWERED ON:24.08.2005

PERMISSION TO BAMS GRADUATES TO PRACTICE MODERN SYSTEMS OF MEDICINE

Ahir Shri Hansraj Gangaram; Mallikarjunaiah Shri S.

**Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:**

(a) whether the Bachelor of Ayurvedic and Medicine Services (BAMS) Integrated Medical Graduates are being allowed to practice Modern Systems of Medicine in the country ;

(b) if so, the details thereof;

(c) if not, the reasons therefor; and

(d) the time by when it is likely to be considered by the Government?

**Answer**

THE MINISTER OF HEALTH & FAMILY WELFARE ( DR.ANBUMANI RAMADOSS)

(a) to (d): This matter was examined by Hon`ble Supreme Court in the case of Dr. Mukhtiar Chand & Ors. Vs. the State of Punjab & Ors. civil appeal No.89 of 1987. Hon`ble Supreme Court has held that a harmonious reading of Section 15 of Indian Medical Council Act 1956 and Section 17 of Indian Medicine Central Council (IMCC) Act leads to the conclusion that there is no scope for a person enrolled on the State Register of Indian medicine or Central Register of Indian Medicine to practice modern scientific medicine in any of its branches unless that person is also enrolled on a State ;Medical Register within the meaning of 1956 Act. However, the right to prescribe modern medicine by practitioners of Indian Medicine under rule 2 (ee)(iii) of Drugs and Cosmetics Act 1940 would be available in those states where privilege of such right to practice any system of medicine is conferred by the State law under which practitioners of Indian Medicine are registered in the State.