

MORDEN TECHNICAL EDUCATION SOCIETY

CMS&ED कोर्स एक डिप्लोमा पाठ्यक्रम है जो ग्रामीण क्षेत्रों में प्राथमिक स्वास्थ्य सेवाएँ प्रदान करने के लिए प्रशिक्षण देता है और इसे Hindi में "सामुदायिक स्वास्थ्य सेवाएं एवं आवश्यक औषधि" कहा जाता है।

यह कोर्स विशेष रूप से उन व्यक्तियों के लिए डिज़ाइन किया गया है जो ग्रामीण क्षेत्रों में स्वास्थ्य सेवाओं में कार्य करना चाहते हैं। कोर्स पूरा करने वाले व्यक्ति प्राथमिक उपचारक (First Aid Provider) के रूप में काम कर सकते हैं और WHO द्वारा अनुशंसित दवाइयों का उपयोग करते हुए सरल बीमारियों का निदान और उपचार कर सकते हैं



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एडान-ए-गालिब मार्ग कोटला रोड,
प्राता सुन्दरी महिला कॉलेज के सामने,
नई दिल्ली-110 002
Atwan-E-Galib Marg, Kotla Road
Opp Mata Sundari College (for Women)
New Delhi-110002

भारतीय आयुर्विज्ञान परिषद

MEDICAL COUNCIL OF INDIA

No. MCI-203(1)/2004-Regn./

10/93

Date 21/4/04

Dr. K. Sarkar

Secretary

Nikhil Bangiya Vidyapeeth,

HBMCH, Prafulla Nagar - 743268.

(Near 2 No. Rail Gate).

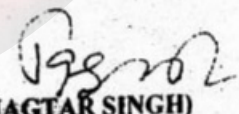
24, Parganas (North), West Bengal.

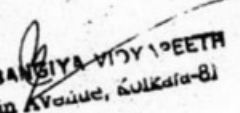
Subject: Permission / Recognition of Para-medical & CMS & ED
Certificate & Diploma Courses.

Sir,

With reference to your letter NO. NBV HAB 13X/04, dated 8.10.2004, on the subject noted above, this is to inform you that Para-medical & CMS & ED Courses do not come under the purview of Medical Council of India, New Delhi. As such, permission of the MCI is not required for starting / running Para-medical & CMS & ED Courses in MCI as on date.

Yours faithfully


(JAGTAR SINGH)
ASSTT. SECRETARY


NIKHIL BANGIYA VIDYAPEETH
36, Pulin Avenue, Kolkata-81

WORLD HEALTH ORGANISATION
REGIONAL OFFICE FOR SOUTH-EAST ASIA



ORGANISATION MONDIALE DE LA SANTE
BUREAU REGIONAL DE L'ASIE DU SUD-EST

Tel.: 331 7804 to 331 7823
Fax : (91) 11 331 8607 and (91) 11 332 7972

In reply please refer to : T18/27/1 IND
Priere de rappeler la reference :

Dr. Misal N.N.
President
Maharashtra Council of Alternative
System of Medicines
A/P : Chas, Nagar-Poona Road,
Tal : Nagar, Dist : Ahmednagar
M.S. (India) 414005

MEMORANDUM

From : Secretary of the
Expert Committee on
the Selection and
Use of Essential
Medicines

To : RD, SEARO attn :
Dr. K. Weerasuriya
EDM

Date : 11 Nov. 1996

Our ref : T18/27/INDIA

Attention :

Your ref : 29/96

Through :

Originator : Dr. KIN SHEIN

Subject : ESSENTIAL DRUGS FOR PRIMARY HEALTH CARE

We have received a self-explanatory letter from Dr. N.N. Misal (copy attached for easy reference). It seems that some of the medicines listed in 1992 SEARO book "Essential drugs for primary health care" are indeed not on the WHO Model List of Essential Medicines. As we would like WHO's technical advice on the selection of Medicines to be as consistent as possible, we would like to suggest that these discrepancies be looked into with the aim to define whether the manual may need to be updated. On the other hand, if SEARO would like to maintain some of these medicines in the manual, we would of course welcome applications for their inclusion in the 14 th Model List.

Dr. Kin Shein
Regional Adviser
Essential Drugs and Vaccines
For Regional Director

cc : WR, India-Dr. N.N. Misal
At/Post. Chas, Nagar-Poona Road,
Tal./Dist. Ahmednagar 414005

Message From Chairman's Desk

Professional education is a dynamic and emerging field. It has been my long cherished dream and earnest desire to contribute to the nation's development and bring about social transformation through education. Our all institutions have a reputation for pioneering in pursuit of academic excellence and achieved laurels worthy of creators and it is continuously striving for higher ground. Due to imparting quality education and homely atmosphere, we have emerged as the preferred choice for aspiring students. It is noteworthy that we have established strong bondage in industry and our students are working in top ranked organizations and withdrawing very handsome packages. We are committed to upgrade and sustain the academic delivery system and institute's infrastructure in tune with future requirements. We strive to train and equip our students to get placed in top multinational corporations by polishing the talent hidden in them. Our college has an impressive placement record and that places us amongst the best educational institutes of the country. Appointment of the faculty from various diversified and prestigious organizations who leave no stone unturned in their efforts and give results beyond expectations. Our students scored top positions at state level and have been honored with prestigious gold medal awards. There is no communication gap between management, faculty and students. We believe in transparency and moral ethics. I will appreciate you for sharing your valuable suggestions, feedback, complaint /grievance (if any), queries, etc. and assure you very enriching, meaningful and fruitful stay with us. I wish you all success and wonderful experience at Dreams.

Legality -

S.I.P.S registered by the Government of India under I.T. Act with the sole aim spread the knowledge of Non-formal Long Term Health and Primary Healthcare education as will training generate maximum benefits thereof.

Eligibility-

Students who have passed out Intermediate from Any Govt. or Autonomous Board/ISC/CBSE/NIOS are eligible for the course.

OBJECTIVE OF PROGRAMME:-

All the courses are launched after an initial survey. The courses fulfill the requirement of the students. To gain professional qualification, Certification and extra classes in career orientation and self- development. After completion of each module the performance of the student's is monitored through regular tests to develop their skills. That the students should appear successfully. In the job market and handle the situation confidently.

FUTURE AND SCOPE:-

We provide students a thorough training that will allow them to build up a professional career in their field of interest.

- Institution-based / online-based skill development including all Yoga, Medical, Paramedical, Nursing, Physiotherapy, Pharmaceuticals Courses.
- Formal and informal internships and other types of training enterprises.
- Adult learning, retraining of retired or retiring employees and lifelong learning.
- Non-formal training including training by civic society organizations.



MODERN TECHNICAL EDUCATION SOCIETY

C.M.S. & E.D.

(COMMUNITY MEDICAL SERVICE & ESSENTIAL DRUGS)

The CMS Diploma is valid all over India for Practice by Harmless General Allopathic Medicines for Primary Health Care Practice. As per the Judgment of Hon'ble Supreme Court of India.

(WORLD HEALTH ORGANIZATION) FOR THE TREATMENT OF PRIMARY HEALTH CARE FOR CMS DIPLOMA HOLDER The List Is Based On The Book Essential Drugs For Primary Health Care Published By W.H.O. Geneva, Switzerland And The Book Written By Spanish Dr. David Warner Published By VOLUNTARY HEALTH ASSOCIATION OF INDIA , SWASTHYA , BHAWAN, NEW DELHI.

The List had been Send to the Health Ministry. The Govt. Of India, By ICM&HC (The Moved IOSMS University) Vide No (SPEU-563552573 IN) According To the Hon Supreme Court Judgement, CMS Diploma holder can provide his Basic Medical Services to the distressed humanity by the medicine which are recommended by WHO for Primary Health Care.

Course Duration	18 month + 6 Months Training
Eligibility	10th or Higher, Rural Doctors, RMP, BAMS, BHMS, BUMS, BSMS, BEMS, BNYS, BPT, DPT, B.Pharm, D. Pharma, DNYS, Degree/ Diploma in Alternative Medicines, Paramedical, Nursing, Naturopathy, Dental etc.
Medium of Instruction	English / Hindi
Examination	December / June
Syllabus	Anatomy, Physiology, Pathology, Health & Hygiene, Medical Jurisprudence, Obstetrics and Gynecology, Pediatrics, Health Care, Practice of Pharmacy, Practical, Glucose Powder D & C, Lime Water, Hydrogen Per Oxide & Gention Violet Paint, Carbolic Acid and Neomycin bacitracine Ointment, Sulphur Powder and Paracetamol, VITAMIN B Complex and Yeast Tablets, Betnovate N,C, Skin Ointment and Corex or Vics 44 Cough Syrup.

Health-

W.H.O. Defines health as “Health is a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity.”

Legal Jurisdiction-

All disputes related to the above points shall be subject to the jurisdiction of courts situated at west Bengal only.

Institute / Council –

SHREE INSTITUTE OF PARAMEDICAL SCIENCE registered with Government of India, will furnish education & training on Primary Health Care and related components specifically to the Rural population. Rural Health Practitioners will give their services to the remote areas of accessible villages. "The service of the highest attainable envisaged in the Constitution of World Health Organization (W.H.O.)".

Preventive Medicine-

The students will undergo training and learn the use of Allopathic essential drugs as Preventive Medicine for the purpose of Primary Health care.

Duration and Facilities-

The Institute is offering 18 month course in community based Primary Health care Management for Rural Health Practitioner (Rural Health Education council). Classes commences on January/June every year.

Why NCMPS-

- ☐ Application forms can be downloaded from website or purchased from the Institute.
- ☐ Online registration & simple criterion for admission.
- ☐ Qualified faculty members.
- ☐ Suitably ventilated class rooms.
- ☐ Regular evaluation of quality.
- ☐ Best books with simplified contents which are easy to follow and understand.
- ☐ Study materials such as books, notebooks & bags will be provided from the Institute.
- ☐ Special rebates for physically challenged students.

Guidelines-

Students of S.I.P.S. are requested TO follow the under mentioned directives with proper attention.

- ☐ You are hereby advised to cooperate participate in the Central Government and State Government immunization programs such as Pulse- polio, Family planning, Malaria, Dengue, Kala-Azar also other epidemics.
- ☐ You should not make yourself indulgent and involve yourself in Medico- Legal Cases directly or indirectly.
- ☐ You should not practice surgery, obstetrics and involve in malpractices.

- You have to refer complicated or critical cases to the nearest hospital for better treatment
 - after giving First aid as per the training instructions of S.I.P.S
 - You should not store any substandard or outdated drugs in your Clinic.
 - You should not prescribe any dangerous or poisonous drugs medicated in Drugs and Cosmetic Rules 1945.
- As far as possible the injections creating reactions or adverse effects should not be given to patients without precautions and test of sensitivity even if it is required for primary treatment.
- You have to strictly observe the rules and regulations of S.I.P.S and have to extend your cooperation.
 - The defaulters will not be given any support for safeguarding their interests.
 - The Rural Health Practitioners can issue "Medical fitness" certificates.
 - Ever Rural Health Education council must have to pay honor to his/her certificate which will be awarded to him/her upon successful completion of S.I.P.S Course. They may display their name on signboard Offenders will be punished who will fail to follow the rules and regulations of S.I.P.S
 - The prospectus of S.I.P.S must have to be read carefully and in details by the aspiring students before taking admission to avoid any confusion and misunderstanding in the future.
 - S.I.P.S has been certificated by multiple organizations of Central and State Government which clearly proves the authenticity of the Institute and the validity of the course as well as certificate. All the certificates are uploaded and available for perusal in the website of the Institute. Aspiring students should go through the website: www.ncmps.in to clear their doubts.

Legal Status –

The CMS Diploma is valid all over India for Practice by Harmless General Allopathic Medicines for Primary Health Care Practice. As per the Judgment of Hon'ble Supreme Court of India.

(WORLD HEALTH ORGANIZATION) FOR THE TREATMENT OF PRIMARY HEALTH CARE FOR CMS DIPLOMA HOLDER The List Is Based On The Book Essential Drugs For Primary Health Care Published By W.H.O. Geneva, Switzerland And The Book Written By Spanish Dr. David Warner Published By VOLUNTARYHEALTHASSOCIATION OF INDIA, SWASTHYA , BHAWAN, NEW DELHI.

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List of Essential Drugs of W.H.O.

[illegible]

35.	Vitamin E
36.	Isabgoal Powder
37.	Senna Leaves
38.	Soda Bi Card (Sodium Bi –Carbonate)
39.	Yeast Tablets
40.	Piperazine Powder
41.	Mebendazol
42.	Ferrus Sulphate (Iron Preparations)
43.	Procain Hydrochloride
44.	Furazolidone
45.	Matronidazole
46.	Kaolin Powder
47.	Liver Pills & Syrup
48.	Folic Acid
49.	Magnesium Tricillicate
50.	Calcium Pills
51.	Calcium Lactate
52.	Ashoka Cordial
53.	Oral Contraceptive pills & syrup
54.	Enzyme Tablets
55.	Haemostatic Tablets
56.	Diethyl Carbamazine Citrate (Benocide)
57.	Ephedrine
58.	Aminophyllin Tablets
59.	Codine Sulphate
60.	Dexamethasone
61.	Betamethasone
62.	Chloroquine
63.	Primoquine
64.	Dome peridome
65.	Degepam
66.	Dicyclomine Hydro Chloride
67.	Atropine
68.	Co- Trimoxazole
69.	Sulphadimidene
70.	Penciline
71.	Amoxycilline
72.	Ampicilline
73.	Gentamycin

74.	Tetracycline
75.	Chloremphenicol
76.	Dextrose 5% Sodium Chlore 9% Injection
77.	Tabramycin
78.	Grisofulwin Tablets
79.	Streptomycin
80.	DDS (Sulphone)
81.	Rifampicin Capsules
82.	Clofazimine Tablets
83.	Streptomycin
84.	Isoniazid Tablets
85.	Refampicin Capsule
86.	Thiocetazone Isoniazid Tablet
87.	Pyrazinamide Tablets
88.	Tuberculosis Tablet
89.	Streptomycin
90.	Sumag & Mag Mag
91.	Boroglycerine
92.	Paracetamol+ ibuprofen Or Diclofenac
93.	Iodex Ointment
94.	Corex Or Vics 44 Cough Syrup
95.	Multivitamin Tablets Or Capsuls
96.	Etophyllin Tablets
97.	Betnovate N., C. , Skin Ointment
98.	DPT Vaccine
99	Carminative Mixture

Community medical services (C M S)

Community medical services & essential drug (C M S & ED) course

Health for all by through the alma ata declaration signed by all members countries, the W H O was given call” Health for all 2000 A D.

To full fill this aim of W H O Dr. Dinesh kumar shukla registrar Para Medical Council of India has started such.

Course name community medical services and essential drug C M S (E D)course to train rural doctor's Practioners of all system and health workers and others supported by unique and W H O Is (Geneva, Switzerland) guidelines.

After completing the C M S (E D) course the candidate will be eligible for admission to essential drug training .after which they will be authorized to use 350 essential drugs approved by W H O.

DETAILED SYLLABUS

First year

Part -1 Anatomy

1. Cell, tissues, Organ, structure
2. Skeleton system- structure & function
3. Cardiovascular system
4. Muscular system
5. Respiratory system
6. Digestive system
7. Excretory system
8. Endocrine system
9. Reproduction system
10. Nervous system
11. Special senses (eye, ear ,nose ,skin)

Part 2 Physiology

1. Cell, tissues- normal physiology
2. Skeleton system- A.P.L. function
3. Cardiovascular system – cardiac cycle action

4. Muscular system- potential special
5. Respiratory system – junction tissues
6. Digestive system - composition
7. Excretory system
8. Reproduction system
9. Endocrine system
10. Nervous system

Part -3 Pathology

1. General pathology
2. Clinical pathology
3. Bacteriology
4. Parasitological
5. Fungi logy
6. Helminthological
7. Applied pathology
8. Advance pathology

Part -4 Health and Hygiene

1. Food and nutrition
2. Community health and hygiene
3. Environment and sanitation
4. Home nursing
5. First aid
6. Ors, breast feeding, health food etc.

Part- 5 Pharmacology

1. Definition of drugs,
2. Pharmacy-source of drug,
3. Form of drugs.
4. Route of administration
5. Various types of drugs –classification,
6. Advantage and disadvantage of drugs
7. Dose definition, minimum and maximum dose, calculating of dose

8. Injection –definition, purpose of injection common dangers of injection,
9. Different routes of Infusion.
10. Infection definition
11. Sterilization –disinfection
12. Methods of transmission diseases
13. Immunity definition –types Bacteria- common bacteria Virus definition, small poxvirus, chicken pox virus measles, polio, aids virus
14. Definition of toxicology. General Principal of clinical toxicology,
15. Classification of poisons-
General treatment of poisoning -

2nd year

Part -1 Medical jurisprudence

1. Criminal courts in India
2. Indian legal system
3. Procedure in court
4. Medical ethics
5. Injuries
6. Rape indecent assaults, battery
7. Medical examination and consent

Part – 2- Obstetrics and gynecology

1. Obstetrics- (a) Antenatal care (b) Safe Delivery (c) Postnatal care
2. Gynecology- Common Diseases
3. Family Welfare- Family planning methods (Temporary & Permanent)
4. Investigation of Sterility
5. Reproductive & Child Health (RCH)
6. National family Welfare pregnancy
7. Complications of pregnancy
8. Complications of Labor
9. Common Gynecological Disorders.

Part – 3- Practice of Medicine

1. Communicable diseases : Prevention, Control and Treatments

2. Deficiency diseases
3. Endocrine diseases
4. Home remedies
5. First Aid
6. Home Nursing
7. Drug addiction
8. Mental diseases

Part – 4- Primary Health Care

1. Family Welfare
2. Investigation of Sterility
3. Temporary methods
4. Permanent methods
5. Gynecology
6. Antenatal care
7. Postnatal care
8. Health education- general, school health, nutrition, sex etc.
9. Special Diseases & general, school health, nutrition, sex etc.

Essential Drugs training (primary level) - 350 drugs.

Practical examination will be for assessment of patients, immunization, blood smear drawing, Albumin test for urine, ORS preparation etc.

No. R.14015/25/96-U&H(R) (Pt.)
Government of India
Ministry of Health & Family Welfare
(Research Desk)

- Nirman Bhnvan, New Delhi
Dated the 25th Novemer. 2003

ORDER

The matter regarding grant of recognitioin to the various streams of alternative medicine including electropathy/electrohomeopathy, has been under consideration of the Govt. In this process Govt. has considered the orders dated 18.11.98 of the Hon'ble High Court of Delhi in CWP No. 401596 & OM No. 8468/97 which has inter-alia directed the Central/State Govts. to consider making legislation to grant of licenses to the existing and new institutes etc. to control & regulate the various 'unrecognised' sticams of alternative medicines and also to give adequate publicity through media infonning public about the 'Respondents' and similar other institutes not being recognized by the Govt. & affiliated with any of the Councils.

Government constituted a 'Standing Comunitec of Experts' under the Chairmanship of Director General, Indian Council of Medical Research and members were drawn from various fields of medicine to consider & give its recommendations to the Government on the efficacy/merits of various strearns of alternative medicine and also examine feasibility of making legislation as suggested by the Hon'ble Court.

The Committee devoloped essential & desirable criteria for grant of recognitioin to a new stream of medicine and analysed and different streams of 'Altetnative medicine viz.. Ayurveda, Siddha Unani, Honocopathy, Yoga & Naturopathy, Eleotropathy/Electrohomoopathy,. Acupuncture, magnetotherapy, Reiki, Reflexology, Urine Theraph/Autourine Therapy, Hypnotherapy, Aromotherapy Colour Therapy, Pranic Healing, Gems & Stone Therapy and Music Therapy.

**No. C.30011/22/2010-HR
Government of India
Ministry of Health & Family Welfare
(Department of Health Research)**

**- Nirman Bhnvan, New Delhi
Dated- 21-06-2011**

ORDER

Subject- Regarding practice, education and research in alternative system of medicine.

An order was passed on 11.10.2010 by the Lucknow Bench of the Hon. High Court of Judicature at Allahabad at Lucknow Bench. In Electro Homeo Medical Association of India vs. State of UP & 4 Ors. as under :

*Heard Lesmed counsel for the parties and perused the record.

With regard to it grievance, the petitioner may make a representation within a month from today. In the Light of the Government Order dated 5.5.2010 (No. V.25011/276/2009-HR) issued by the Government of India , Ministry of Health & Family Welfare Department of Health Research.

In the representation made by the petitioner within the aforesid period, the same shall be decided by the Government of India within three months from the date of its filling.

With above observation, the wnt petitiion is finally disposed of.

2. Consequently, in accordance with the said order, Sh. Taj Ali, Secretary, Electro Homeo Medical Association of India, Lucknow has filed a representation in the matter vide his letter dated 03.11.2010 in which he has made the following submissions and prayer :-

* That the order dated 25-11-2003 addressed to different officials and copies sent, however, to all their subordinates was mis-Interpreted as if the Government of India has altogether prohibited the development and research of Electropathy, however the order dated 05-05-2010 has clarified that there is no proposal to stop the petltioner from practiding in electropathy or imparting education as long as this is done within the parameters of the order dated 25-11-2003 and once the legislation to recognize new system of medicine is enacted any practice or education would be regulated in accordance with the said Act.

On the basis of the order dated 25-11-2003 different authorities issued preventive orders as if there can be no teaching or practice in Electropathy/Electro Homoeopathy at all and that forced the applicant to file the above noted writ petition in the Honble High Court Allahabad, Lucknow Bench, Lucknow. However in the meantime the order dated 05-05-2010 has clarified the position and the Honble Division Bench in the light thereof has opined that now no detailed order is required to be passed and the petitioner may make the representation to the Government of India and Government of India may pass the order in the light of the order dated 05-05-2010.

It is, therefore, respectfully prayed that the authorities to whom the order No.R.14015/25/96-U&H(R)(Pt.) dated 25-11-2003 was issued, may kindly be communicated to read the order in the light of the Government of India later order dated 05-05-2010 and act only in accordance with the same and not cause any interference in contravention of the same.

3. As per the directions of the Hon. Lucknow Bench of the High Court of Judicature at Allahabad, the representation has been considered. It is clarified that the MH&FW Order No. R.14015/25/96-U&H(R) (Pt.) dated 25-11-2003 and No. V.25011/276/2009-HR dated 05-05-2010 would be treated as instruction of the Government of India related to practices, education and research with regard to alternative systems of medicine the electropathy, electro-homoeopathy, etc.

4. A copy of each of the said two orders viz. MH&FW Order No. R.14015/25/96-U&H(R)(Pt.) dated 25-11-2003 and No. V.25011/276/2009-HR dated 05-05-2010 is being forwarded herewith to each of the State Government /UTs for Information and necessary action. With this your representation is disposed off.

5. This issues with the approval of Secretary (Department of Health Research), Ministry of Health & Family Welfare, New Delhi.

**(J.P. Mehta)
Director (HR)**

To,
All Health Secretaries of State Governments/Union Territory Administration.

Copy to :

1. Sh.Taj Ali, Secretary, Electro Homeo Medical Association of India, B-Lal Bagh, Lucknow-226001 (Uttar Pradesh)
2. The Registrar, High Court, Lucknow Bench, Lucknow.

माननीय सुप्रीम कोर्ट के निर्णय के अनुसार CMS डिप्लोमा धारी चिकित्सक संक्रामक रोगों सहित सभी रोगों में प्राथमिक चिकित्सा कार्य कर सकते हैं, अपने मरीजों को मेडिकल प्रमाण पत्र दे सकते हैं।

सुप्रीम कोर्ट इयरली डायजेस्ट 2003 में इश्यू पृष्ठ संख्या -616 पर प्रकाशित सुप्रीम कोर्ट का निर्णय दिया है।

6. MEDICAL PRACTICE

[2406] — **Right to practise — Qualification —** *Holders of Diploma in Community Medical Services in West Bengal — Held, entitled to be registered in State Medical Register for practice in allopathic medicine to treat common diseases among rural population — Also entitled to prescribe medicines and issue sickness and death certificates, such right being imbibed in the right to treat — Bengal Medical Act, 1914 (6 of 1914). Ss. 18 and 15*

The relevant portion of Notification No. 1076-Medical dated 17-5-1915 issued by the then Financial Department, Government of Bengal read as hereunder:

In view of the ruling in *Mukhtiar Chand (Dr) case*, (1998) 7 SCC 579, there is no bar to register the appellants holders of "Diploma in Community Medical Services" in the State Medical Register.

Further, since the appellants are validly holding right to treat certain diseases their right to issue prescriptions or certificates cannot be detached from their right to treat. Such right to issue certificates or prescriptions is imbibed in the right to treat. One cannot and shall not be separated from the other. Once the right to treat is recognized, then the right to prescribe medicine or issue necessary certificate flows from it. Or else the right to treat cannot be completely protected. Hence, even assuming Notification No. 1076-Medical dated 17-5-1915 issued by the then Financial Department, Government of Bengal is not there, still the appellants' right to prescribe medicine cannot be denied. (Paras 13 and 7)

Therefore, the respondents shall make necessary arrangements to include the names of all the diploma-holders concerned in the State Medical Register for the limited purpose indicated therein within a period of six months from today. (Para 14). *Subhasis Bakshi v. W.B. Medical Council*, (2003) 9 SCC 269; AIR 2003 SC 1563; (2003) 3 SLR 138; (2003) 2 CHN 138(SC Supp).

Bench Strength 2. Coram: S. Rajendra Babu and Shivaraj V. Patil, JJ. [Date of decision: 14-2-2003]

Mukhtiar Chand (Dr) v. State of Punjab, (1998) 7 SCC 579, followed

A.K. Sabhapathy (Dr) v. State of Kerala, 1992 Supp (3) SCC 147; *Medical Council of India v. State of Rajasthan*, (1996) 7 SCC

IN THE SUPREME COURT OF INDIA

670573

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 172 OF 1981

Subhasis Bakshi & Ors.

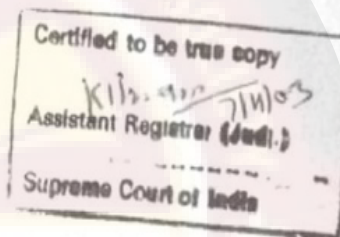
Appellants

versus

West Bengal Medical Council & Ors.

Respondents

JUDGMENT



RAJENDRA BABU, J. :

"Thou shalt not prescribe, but treat". Does this commandment stand the test of legal scrutiny? This is the stark and simple question to be decided in this case.

The long-winded facts of this case read as follows:

That about 337 persons, including the appellants had completed the diploma course of Community Medical Service in duly recognized institutions in the State of West Bengal and were posted in different parts of the State by the Government of West Bengal. On October 15, 1980 vide Notification No. Health/MA/7076/5M-5/80 the Government of West Bengal made an amendment in the Statute of the State Medical Faculty by introducing Article 6F under Part B, which reads *verbatim* as under: