( Yellow Highlighted Text Should Be Edited As Per Your Need. )

Outward No.: NIMA/MSB/GS/08/1893 /2012-14 Date: 08.08.2013

To,

The Editor,

The Times of India,

Mumbai Edition.

**Subject: Objections to the news on the front page in your newspaper dated 03/08/2013 under the title "Majority of GPs don't have MBBS" covered by Rupali Mukherjee, TNN.**

Sir,

**National Integrated Medical Association(NIMA),** Maharashtra State branch which represents the doctors of Indian Medicine in India since1948. we are writing to you in response to the article "Majority of GPs don't have MBBS" covered by Rupali Mukherjee, TNN and published in your newspaper on 03/08/2013 at the bottom of front page.

We would like to bring to your kind notice that the news mentioned above is inaccurate and contains wrong and false information with biased views and totally misrepresented facts causing serious damage to the reputation of doctors who have passed the Integrated Courses in Indian Medicine. We have strong objections to the contents of this news related to us.

The following explanation will help clear the concerned facts:

**1)** In para 1 of this news it is mentioned that "the basic prerequisite to practice modern medicine is MBBS". The fact is MBBS degree holders have not been given the monopoly to practice modern medicine by the Govt. Of India. Dentists as well as veterinary doctors do not possess MBBS degree nor are they registered under Indian Medical Council Act, 1956 but they are lawfully allowed to practice allopathy under the provisions of Drugs and Cosmetics Act, 1940 under section 2(ee)(iv)&(v).

**2)** The Section 2(ee)(iii) of the same act Drugs and Cosmetics Act, 1940 says as under- (2 ee) registered medical practitioner means a person...(iii)registered in a medical register(other than a register for the registration of Homoeopathic practitioners) of a State, who although not falling within sub clause (i) or sub-clause (ii) is declared by a General or a special order made by the State Government in this behalf as a person practicing the modern scientific system of medicine for the purposes of this Act.

**3)** Under the provisions of this Act, the Maharashtra State Govt, by issuing Govt. notification/order no. CIM 1099/122/CR/25/99/Act dated 23/02/1999 has declared the doctors of Indian Medicine holding qualifications mentioned in parts A,A1,B and D of the schedule appended to the Maharashtra Medical Practitioner's Act, 1961 and registered in the register maintained under that act, to be persons practicing the

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Modern Scientific System of medicine for the purposes of the Drugs and Cosmetics Act, 1940 (23 of 1940). Please find attached a copy of the same.

**4)** The doctors having qualifications mentioned in parts A,A1,B and D of the schedule appended to the Maharashtra Medical Practitioner's Act, 1961 and registered in the register maintained under that act have successfully completed their medical curriculum approved by the statutory councils/boards and have gained their respective degrees from the Statutory Institutes.

**5)** This issue has been dealt with in full depth and decided upon by the Apex court in the historic case of Mukhtiyar Chand and others V/S State of Punjab and others (C.A. No. 89 of 1987). In this case the Apex court has upheld the provisions of Drugs and Cosmetics Act, 1940 under section 2(ee)(iii) as valid and competent.

**6)** The Consumer Dispute Redressal Commission, Maharashtra State, Mumbai has also examined this issue in many cases and has given verdict in favour the doctors of Indian Medicine. To quote a few examples-

**a.** Ankush Dhokale V/S Dr Anant Bhosle (88 Of 1997)

**b**. Dr. Abhay Lunavat and others V/S Chitragini Mujmule (F.A. 863 of 2007)

In spite of these legal documents being in favor of doctors of Indian Medicine, one official of Indian Medical Association (I.M.A.) has made false, wrong and biased statements making total misrepresentation of the facts in the leading newspapers like TOI and damaged the hard earned reputation of the doctors of Indian Medicine by labeling them as "quacks". This is highly objectionable and unfortunate.

The above mentioned doctors of Indian Medicine are qualified registered medical practitioners and are practicing modern medicine with proper legal support.

Please inform us the details of that official of I.M.A. so that the appropriate legal action can be initiated against him immediately for giving false and wrong information, misrepresentation of the facts and causing defamation of the doctors of Indian Medicine in the masses.

We request you to publish the real aspects in this regard in your esteemed newspaper on the front page at the earliest. In case of any doubts or clarifications, we can provide you the necessary legal documents.

Thanking you in anticipation.

Yours faithfully,

Dr. Shailesh S. Nikam

General Secretary, NIMA Maharashtra