

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CIVIL WRIT PETITION NO. 658 OF 2015

Ravinder Singh Dhull

---Petitioner

Versus

Union of India and others

---Respondents

**(A)
INDEX**

Sr. No.	Particulars	Dated	Pages	Court Fees
1.	List of Dates and Events	14.01.2015	1-8	--
2.	Civil Writ Petition	14.01.2015	9-25	50.00
3.	Affidavit	14.01.2015	26-27	--
4.	Annexure P-1(Letter)	09.12.1998	28-29	02.00
5.	Annexure P-2(Letter)	10.06.2006	30-31	02.00
6.	Annexure P-3(Policy)	---	32-49	12.00
7.	Annexure P-4(Guidelines)	04.09.2006	50-67	12.00
8.	Annexure P-5(Public Notice)	---	68-69	02.00
Total				80.00

NOTES:

1. That the main law points involved in this writ petition are contained in Para No.24 at Page No.23 & 24 of the Writ Petition.
2. Relevant Rules/Act/Statutes
 - i) Constitution of India.
 - ii) Medical Council Act, 1956.
3. Similar case if any: NIL.
4. Whether Caveat Petition has been filed in this case: NO

**PLACE:CHANDIGARH
DATED: 14.01.2015**

**(RAVINDER SINGH DHULL)
PETITIONER IN PERSON**

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CIVIL WRIT PETITION NO.658 OF 2015

Ravinder Singh Dhull

---Petitioner

Versus

Union of India and others

---Respondents

(B)

Court Fees Rs.

**PLACE:CHANDIGARH
DATED: 14.01.2015**

**(RAVINDER SINGH DHULL)
PETITIONER IN PERSON**

LIST OF DATES & EVENTS

--- The present PIL has been filed seeking judicial intervention in the Indian System of Medicines practice especially in the field of Yoga and Naturopathy. “Naturopathy” or “Naturopathic Medicine” is a form of alternative medicine employing a wide array of "natural" treatments, including homeopathy, herbalism, and acupuncture, as well as diet and lifestyle counseling. Naturopaths favor a holistic approach with non-invasive treatment and generally avoid the use of surgery and drugs. Naturopathic philosophy is based on a belief in vitalism and self-healing, and practitioners often prefer methods of treatment that are not compatible with evidence-based medicine. According to one critical appraisal, naturopathic medicine is replete with pseudoscientific, ineffective, unethical, and possibly dangerous practices.

--- In India; due to shortage of qualifying doctors in main medical stream i.e. Allopathy; a system of alternative medicines just like Yoga, Naturopathy, Homeopathy, Yunani Medicines is rapidly growing and catering to the demands of people who are looking for alternative to the main stream of medicines.

--- In entire India the system of alternative medicines is governed by Department of AYUSH. AYUSH is a broader term which means Ayurveda, Yoga and

Naturopathy, Unani, Siddha and Homeopathy department. Thus evident, the department caters to the needs of almost all main streams of alternative medicines. Department of Indian Systems of Medicine and Homoeopathy (ISM&H) was created in March,1995 and re-named as Department of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) in November, 2003 with a view to providing focused attention to development of Education & Research in Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy systems. The Department continued to lay emphasis on upgradation of AYUSH educational standards, quality control and standardization of drugs, improving the availability of medicinal plant material, research and development and awareness generation about the efficacy of the systems domestically and internationally.

--- Under the department-respondent no.4 another organization works; which caters to the needs of research in the field of alternative medicines so that these systems can develop and further flourish. The Central Council for Research in Yoga & Naturopathy (CCRYN) is an autonomous body under Department of AYUSH, Ministry of Health and Family Welfare, Government of India. It is an apex body in the field of Yoga and Naturopathy, actively engaged in promotion, propagation, research, education, training and publication work. A number of research projects with full financial

assistance by the Council are being conducted at various reputed and premier medical institutions viz. All India Institute of Medical Sciences, Dr. Ram Manohar Lohia Hospital, New Delhi, National Institute of Mental Health and Neuro Sciences, Bangalore etc. So far, 30 research projects have been completed. The findings of these research projects are applied in OPDs of Yoga and Naturopathy run by the Council in the leading Government Hospitals of Delhi. The Council provides grant-in-aid to various Yoga and Naturopathy institutions throughout India under TCPC & PCC schemes for furtherance of its aims & objectives. Reorientation programmes for Yoga and Naturopathy practitioners to update their knowledge and motivate them for research and training workshops on research methodology are also organised by the Council. It has been arrayed as Respondent in the present Public Interest Litigation.

--- Whereas other systems of medicine are flourishing freely due to availability of huge budget and growing practitioners. The system of naturopathy is dying slowly due to many reasons one of which is it is clubbed with Yoga. So, the alternative medicine system is broadly known as Yoga and Naturopathy and the same is also subject matter of the present Public Interest Litigation.

--- At central level this matter is in consideration since long and various letters/correspondences have

happened in the same. Respondent No.1 in a letter dated 09.12.1998 addressed to one Dr. H.C. Shah on the subject of registration for practising Naturopathy. In the same; it is specifically pointed out that the department of health is concerned with the development of Yoga and Naturopathy in the country as presently there is no Board/Law to regulate education in these systems.

09.12.1998 The apathy of system starts where there is no board or law to regulate the education. Since, education is not regulated; unqualified doctors come forward and claim themselves to be highly trained and thereafter start practising as doctors. It can be very well understood that the side effects of such treatment by unqualified doctors can be how much dangerous. Like if we see question of Yoga; then if a person has cervical spondylitis then he can not do *Halasana*, *Sheershasana* and many more such. But if an unqualified doctor insists for the same to a patient; it may be life threatening; though Yoga is thought to be a safer stream of alternative medicine. So, regulation of the education is very necessary through any Board/Law. **(P-1)**.

10.06.2006 Smt. Menaka Gandhi, a Senior Leader and the then Member of Parliament in a letter to the Hon'ble Health Minister of India has pointed out glaring lacunas and loopholes in the system of Naturopathy. It is pointed out that the naturopathy department of the Health Ministry is more or less defunct. It does not even have an idea of what

naturopathy is. There is no advisory board for Naturopathy, no registration for naturopathy practitioners, no standardised syllabus for teaching it, no registration of naturopathic centres. In the absence of any regulation, the field is crowded with quacks and what is being practised in all the thousands of centres is a uneducated mix of Ayurveda, Homeopathic and chiropractry, acupuncture, massage, cosmetic treatment and ridiculous practices that have been held up internationally to be fraudulent like skull readjustment and iridology. The language of letter is good enough to shock conscious of an ordinary citizen. **(P-2)**

--- International Naturopathy Organization; an association working for development of naturopathy all around India suggested certain measures for regularization of the registration and education in the field of naturopathy. The guidelines were duly forwarded to Union of India as well as Government of Haryana. But nothing was done in the same. The guidelines are available with the petitioner and can be brought on record at the later stage. Since, the guidelines do not have any statutory force, the same are not attached with the present petition.

--- The department of Indian Systems of Medicine and Homeopathy working under Ministry of Health and Family Welfare, Government of India released National Policy on Indian Systems of Medicine and Homeopathy, 2002 wherein the urgent need for set

up of such system was observed but despite after passage of 12 years since the policy was released; nothing substantial has been done by the respondents. **(P-3)**

04.09.2006

The respondent no.1 further issued certain guidelines dated 04.09.2006 to all the States and Union Territories for registration of Naturopathy Practitioners and for the accreditation of Naturopathy institutions. Therein a specific request was made for enacting suitable legislation for the regulation of Naturopathy and in the mean time for setting up a system for registration of practitioners and for the accreditation of institutions on the basis of the guidelines. But the respondent States failed to take any action upon the same despite after passage of 8 years. **(P-4)**

The respondent No. 6 by way of public notice clarified in various news papers that the Council is receiving frequent letters from students and parents that they are being cheated by some of the organizations offering courses claiming to be Recognised Diploma Courses in Naturopathy of 1 year to 3½ years duration namely – N.D., D.N.Y.S., D.N.Y.T., H.D.N.Y., N.D.D.Y., D.A.M.S., B.N.M.S. etc. This is to inform to all concerned that about 100 such parties/so-called organisations are claiming that they are running/conducting recognised Diploma Courses in naturopathy. Some of them are even using the word “Recognized/Approved/Authenticated/Granted/Authorized/Affiliated etc. by

CCRYN, Govt. of India, Ministry of Health & F.W. Further it was stated that there is only one Recognised 'Bachelor of Naturopathy & Yogic Sciences' (BNYS) Degree course of full time/regular 5½ years duration which is being run by 10 Colleges duly Affiliated to the respective Universities and Recognized by their respective State Govts. It was further clarified that Naturopathy is a practical and perfect medical science. It cannot be learnt through part time or postal or external courses. Those who are interested in Naturopathy should join full-time BNYS Degree Course as like MBBS, BAMS, BUMS, BHMS, BSMS, BPT, BDS. After passing out, the Degree of BNYS is awarded by the Concerned University. Such qualified Naturopaths do receive Class 'A' Medical Registration in Naturopathy & Yoga by their respective State Govt.'s Board of Medical Registration. **(P-5)**

It was also been brought to the notice of Council that some organizations are issuing registration certificates to practitioners of Yoga & Naturopathy saying that such certificates will enable them practice these sciences. It is clarified that such registration certificates issued by private organizations are of no legal value for practicing these sciences. In some states like AP, Karnataka, TN etc. State Governments have recognised Degree Colleges of BNYS and qualified practitioners are issued Registration Certificates by

respective Board of Indian System of Medicine constituted under Acts of respective States. In some states provisions for registration are yet to come up. Public is hereby advised that they should not be misled by advertisements issued by private organizations in regard to registration and practice.

--- It has been recently held by Hon'ble Supreme Court of India in **Centre for Public Interest Litigation versus Union of India, AIR 2014 SC 49** that a *paramount duty is cast on the States and its authorities to achieve an appropriate level of protection to human life and health which is a fundamental right guaranteed to the citizens under Article 21 read with Article 47 of the Constitution of India.*

--- Combined reading of Article 21 read with Article 47 would show that the State is duty bound to protect the public health and right to have healthy life is one of the fundamental rights. If the touts are allowed to work like they are presently working in the Indian System of Medicines; the protection granted in the Constitution of India is bound to fail. It has been held by Hon'ble Supreme Court of India in **Dr. Balram Prasad versus Dr. Kunal Saha, 2013(3) RCR (Civil) 946** that right to health is a fundamental right.

14.01.2015 Hence, the present writ petition.

**PLACE: CHANDIGARH
DHULL)
DATED: 14.01.2015**

**(RAVINDER SINGH
PETITIONER IN PERSON**

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CIVIL WRIT PETITION NO. _____ OF 2015

Ravinder Singh Dhull Advocate son of Shri Parminder Singh Dhull,
Resident of Flat No. 505, G.H. 17, Sector 20, Panchkula.

---Petitioner

Versus

1. Union of India through its Secretary, Ministry of Health, Nirmaan Bhawan, C-Wing, New Delhi.
2. The State of Haryana, through its Financial Commissioner-cum-Principal Secretary, Department of Health, Haryana Civil Secretariat, Chandigarh.
3. The State of Punjab, through its Financial Commissioner-cum-Principal Secretary, Department of Health, Punjab Civil Secretariat, Chandigarh.
4. Department of AYUSH, Ministry of Health & Family Welfare, AYUSH BHAWAN, B Block, GPO Complex, INA, New Delhi - 110 023, through its Secretary.
5. Department of AYUSH, Government of Haryana, Near Youth Hostel, Sector 3, Panchkula, Haryana through its Director General.
6. The Central Council for Research in Yoga & Naturopathy (CCRYN) through its Director, 61-65, Institutional Area, Janakpuri, New Delhi - 110058 (India)

---Respondents

Civil Writ Petition under Articles 226/227 of the Constitution of India in the form of Public Interest Litigation seeking issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to immediately constitute board and to enact special legislation for governing practice of Yoga and Naturopathy in the States of Haryana and Punjab in the lines of Special Enactments by the States of Tamilnadu, Madhya Pradesh, Karnataka, Himachal Pradesh, Rajasthan, Maharashtra and for issuance of a writ in the nature of mandamus directing the respondents to take note of the concerns shown regarding the system in the letters dated 09.12.1998 (Annexure P-1) and dated 10.06.2006 (Annexure P-2) and also the report Annexure P-3 and to act in accordance with the same;

And/Or

To issue any other writ, order or direction which this Hon'ble High Court may deems fit and proper in the peculiar facts and circumstances of the case.

RESPECTFULLY SHOWTH:

1. That the petitioner is resident of Haryana State and being the Citizen of India, he is filing the Public Interest Litigation to invoke the extraordinary writ jurisdiction of this Hon'ble High Court under Articles 226/227 of the Constitution of India.

2. That the petitioner is practising Advocate before this Hon'ble High Court, a social worker and R.T.I. activist. The petitioner has filed few Public Interest Litigations in person on diversified subjects including Environment Protection, Social Issues, Education and Children Welfare. Thus the petitioner is doing the social service for the general public and particularly for the down trodden members of the society apart from doing Practice as Advocate before this Hon'ble High Court. The petitioner is fighting with the mighty administration for their right and doing all possible work for granting them justice so that they may not suffer at the hands of the might administration and further to bring the guilty on the books so that other officers/officials of the administration may not act against the interest of general public. Therefore, the petitioner is filing the present Public Interest Litigation.

3. That the present PIL has been filed seeking judicial intervention in the Indian System of Medicines practice especially in the field of Yoga and Naturopathy. "Naturopathy" or "Naturopathic Medicine" is a form of alternative medicine employing a wide array of "natural" treatments, including homeopathy, herbalism, and acupuncture, as well as diet and lifestyle counseling. Naturopaths favor a holistic approach with non-invasive treatment and generally avoid the use of surgery and drugs. Naturopathic philosophy is based on a belief in vitalism and self-healing, and practitioners often prefer methods of treatment that are not compatible with evidence-based medicine. According to one critical appraisal, naturopathic medicine is replete with pseudoscientific, ineffective, unethical, and possibly dangerous practices.

4. That in India; due to shortage of qualifying doctors in main medical stream i.e. Allopathy; a system of alternative medicines just like Yoga, Naturopathy, Homeopathy, Yunani Medicines is rapidly growing and catering to the demands of people who are looking for alternative to the main stream of medicines.

5. That in entire India the system of alternative medicines is governed by Department of AYUSH. AYUSH is a broader term which means Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy department. Thus evident, the department caters to the needs of almost all main streams of alternative medicines. Department of Indian Systems of Medicine and Homoeopathy (ISM&H) was created in March,1995 and re-named as Department of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) in November, 2003 with a view to providing focused attention to development of Education & Research in Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homoeopathy systems. The Department continued to lay emphasis on upgradation of AYUSH educational standards, quality control and standardization of drugs, improving the availability of medicinal plant material, research and development and awareness generation about the efficacy of the systems domestically and internationally.

6. That the department was created with following objectives:

- i To upgrade the educational standards in the Indian Systems of Medicines and Homoeopathy colleges in the country.*
- ii. To strengthen existing research institutions and ensure a time-bound research programme on identified diseases for which these systems have an effective treatment.*

- iii. To draw up schemes for promotion, cultivation and regeneration of medicinal plants used in these systems.*
- iv. To evolve Pharmacopoeial standards for Indian Systems of Medicine and Homoeopathy drugs.*

7. That under the department-respondent no.4 another organization works; which caters to the needs of research in the field of alternative medicines so that these systems can develop and further flourish. The Central Council for Research in Yoga & Naturopathy (CCRYN) is an autonomous body under Department of AYUSH, Ministry of Health and Family Welfare, Government of India. It is an apex body in the field of Yoga and Naturopathy, actively engaged in promotion, propagation, research, education, training and publication work. A number of research projects with full financial assistance by the Council are being conducted at various reputed and premier medical institutions viz. All India Institute of Medical Sciences, Dr. Ram Manohar Lohia Hospital, New Delhi, National Institute of Mental Health and Neuro Sciences, Bangalore etc. So far, 30 research projects have been completed. The findings of these research projects are applied in OPDs of Yoga and Naturopathy run by the Council in the leading Government Hospitals of Delhi. The Council provides grant-in-aid to various Yoga and Naturopathy institutions throughout India under TCPC & PCC schemes for furtherance of its aims & objectives. Reorientation programmes for Yoga and Naturopathy practitioners to update their knowledge and motivate them for research and training workshops on research methodology are also organised by the Council. It has been arrayed as Respondent in the present Public Interest Litigation.

8. That whereas other systems of medicine are flourishing freely due to availability of huge budget and growing practitioners. The system of naturopathy is dying slowly due to many reasons one of which is it is clubbed with Yoga. So, the alternative medicine system is broadly known as Yoga and Naturopathy and the same is also subject matter of the present Public Interest Litigation.

9. That the petitioner broadly want to cover the following glaring lapses and loopholes in the system due to which not only the system of Yoga and Naturopathy is dying but also the lives of hundreds of innocent patients is brought into risk due to incompetent doctors and untrained staff.

- i. A board should be immediately constituted for regulation of the same.*
- ii. The doctors of Yoga and Naturopathy stream should get themselves registered prior to starting of their practice.*
- iii. It should be clarified as to which degrees/diplomas are recognized and which institutions are recognized to provide the same. In the absence of the board; even the institutions presently serving the education are having lack of infrastructure and adequately qualified teaching staff which is very dangerous.*
- iv. Budget allocation should be appropriate and Government should give its attention to Yoga and Naturopathy as well like it is done for main stream like Ayurveda and Homeopathy.*
- v. A report may be called from the respondent States regarding doctors/practitioners practising in the Indian System of Medicines especially in Yoga and Naturopathy and their qualifications.*

vi. *The already practising doctors who are working with esteemed organizations/hospitals and who have attained Degrees/Diplomas from recognized/renowned institutions be given opportunity to refresh their knowledge and get them register with the proposed board after completion of necessary course as may be prescribed by the department.*

10. That at central level this matter is in consideration since long and various letters/correspondences have happened in the same. Respondent No.1 in a letter dated 09.12.1998 addressed to one Dr. H.C. Shah on the subject of registration for practising Naturopathy. In the same; it is specifically pointed out that the department of health is concerned with the development of Yoga and Naturopathy in the country as presently there is no Board/law to regulate education in these systems.

It is pertinent to mention here that apathy of system starts where there is no board or law to regulate the education. Since, education is not regulated; unqualified doctors come forward and claim themselves to be highly trained and thereafter start practising as doctors. It can be very well understood that the side effects of such treatment by unqualified doctors can be how much dangerous. Like if we see question of Yoga; then if a person has cervical spondylitis then he can not do *Halasana, Sheershasana* and many more such. But if an unqualified doctor insists for the same to a patient; it may be life threatening; though Yoga is thought to be a safer stream of alternative medicine. So, regulation of the education is very necessary through any Board/Law. A true typed copy of the letter dated 09.12.1998 is attached herewith as **Annexure P-1**.

11. That Smt. Menaka Gandhi, a Senior Leader and the then Member of Parliament in a letter to the Hon'ble Health Minister of India has pointed out glaring lacunas and loopholes in the system of Naturopathy. It is pointed out that the naturopathy department of the Health Ministry is more or less defunct. It does not even have an idea of what naturopathy is. There is no advisory board for Naturopathy, no registration for naturopathy practitioners, no standardised syllabus for teaching it, no registration of naturopathic centres. In the absence of any regulation, the field is crowded with quacks and what is being practised in all the thousands of centres is a uneducated mix of Ayurveda, Homeopathic and chiropractry, acupuncture, massage, cosmetic treatment and ridiculous practices that have been held up internationally to be fraudulent like skull readjustment and iridology. The language of letter is good enough to shock conscious of an ordinary citizen. A copy of letter dated 10.06.2006 is attached herewith as **Annexure P-2**.

12. That International Naturopathy Organization; an association working for development of naturopathy all around India suggested certain measures for regularization of the registration and education in the field of naturopathy. The guidelines were duly forwarded to Union of India as well as Government of Haryana. But nothing was done in the same. The guidelines are available with the petitioner and can be brought on record at the later stage. Since, the guidelines do not have any statutory force, the same are not attached with the present petition.

13. That it is most pertinent to mention here that respondent no.1 while running from its responsibility has almost refused to take care of this alternative system of medicines. Minister of State in the Ministry of Health and Family Welfare, Government of India in an

answer to unstarred question asked by a Member of Parliament during session as on 23.08.2006 answered as below:

“ Yoga and Naturopathy are recognized systems of medicine and registered practitioners of these systems can use the word “Doctor” before their name. It has not been found feasible to regulate the teaching and practice of Yoga and Naturopathy at the Central level. Some States like Andhra Pradesh, Karnataka, Tamil Nadu and Madhya Pradesh has enacted State Acts for registration of qualified practitioners of these systems.”

It is pertinent to mention here that State of Rajasthan and Himachal Pradesh have also taken same initiative and have enacted legislations. But to the apathy of petitioner and public at large no such legislation is effective in the States of Haryana, Punjab and Union Territory of Chandigarh. Which itself is shocking and deserves kind attention of this Hon'ble Court in its vast powers under Judicial Review.

14. That department of Indian Systems of Medicine and Homeopathy working under Ministry of Health and Family Welfare, Government of India released National Policy on Indian Systems of Medicine and Homeopathy, 2002 wherein the urgent need for set up of such system was observed but despite after passage of 12 years since the policy was released; nothing substantial has been done by the respondents. A true copy of the policy is attached herewith as **Annexure P-3.**

15. That the respondent no.1 further issued certain guidelines dated 04.09.2006 to all the States and Union Territories for registration of Naturopathy Practitioners and for the accreditation

of Naturopathy institutions. Therein a specific request was made for enacting suitable legislation for the regulation of Naturopathy and in the mean time for setting up a system for registration of practitioners and for the accreditation of institutions on the basis of the guidelines. But the respondent States failed to take any action upon the same despite after passage of 8 years. A copy of the guidelines dated 04.09.2006 is attached herewith as **Annexure P-4**.

16. That Respondent No. 6 by way of public notice clarified in various news papers that the Council is receiving frequent letters from students and parents that they are being cheated by some of the organizations offering courses claiming to be Recognised Diploma Courses in Naturopathy of 1 year to 3½ years duration namely – N.D., D.N.Y.S., D.N.Y.T., H.D.N.Y., N.D.D.Y., D.A.M.S., B.N.M.S. etc. This is to inform to all concerned that about 100 such parties/so-called organisations are claiming that they are running/conducting recognised Diploma Courses in naturopathy. Some of them are even using the word “Recognized/Approved/Authenticated/Granted/Authorized/Affiliated etc. by CCRYN, Govt. of India, Ministry of Health & F.W. Further it was stated that there is only one Recognised ‘Bachelor of Naturopathy & Yogic Sciences’ (BNYS) Degree course of full time/regular 5½ years duration which is being run by 10 Colleges duly Affiliated to the respective Universities and Recognized by their respective State Govts. It was further clarified that Naturopathy is a practical and perfect medical science. It cannot be learnt through part time or postal or external courses. Those who are interested in Naturopathy should join full-time BNYS Degree Course as like MBBS, BAMS, BUMS, BHMS, BSMS, BPT, BDS. After passing out, the Degree of BNYS is awarded by the Concerned University. Such qualified Naturopaths

do receive Class 'A' Medical Registration in Naturopathy & Yoga by their respective State Govt.'s Board of Medical Registration. A true typed copy of the public notice is attached herewith as **Annexure P-5.**

It was further provided that it was also been brought to the notice of Council that some organizations are issuing registration certificates to practitioners of Yoga & Naturopathy saying that such certificates will enable them practice these sciences. It is clarified that such registration certificates issued by private organizations are of no legal value for practicing these sciences. In some states like AP, Karnataka, TN etc. State Governments have recognised Degree Colleges of BNYS and qualified practitioners are issued Registration Certificates by respective Board of Indian System of Medicine constituted under Acts of respective States. In some states provisions for registration are yet to come up. Public is hereby advised that they should not be misled by advertisements issued by private organizations in regard to registration and practice.

17. That combined reading of the Annexure and the assertions made in the present writ petition would show that there is an urgent need to regulate the practice of Yoga and Naturopathy in the States of Haryana, Punjab hence, the kind indulgence of this Hon'ble High Court is necessary.

18. That non action of the respondents over the repeated attempts/concerns over the malpractices prevalent in the field of Yoga and Naturopathy is against Article 21 of the Constitution of India wherein Right to Livelihood has been provided. The bare reading of the provision is as below:

“21. Protection of life and personal liberty.—No person shall be deprived of his life or personal liberty except according to procedure established by law.”

19. That it has been recently held by Hon’ble Supreme Court of India in **Centre for Public Interest Litigation versus Union of India, AIR 2014 SC 49** that *a paramount duty is cast on the States and its authorities to achieve an appropriate level of protection to human life and health which is a fundamental right guaranteed to the citizens under Article 21 read with Article 47 of the Constitution of India.*

20. That Article 47 of the Chapter IV of the Constitution of India further provides as below:

“47. Duty of the State to raise the level of nutrition and the standard of living and to improve public health.—The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health.”

21. That combined reading of Article 21 read with Article 47 would show that the State is duty bound to protect the public health and right to have healthy life is one of the fundamental rights. If the touts are allowed to work like they are presently working in the Indian System of Medicines; the protection granted in the Constitution of India is bound to fail. It has been held by Hon’ble Supreme Court of India in **Dr. Balram Prasad versus Dr. Kunal Saha, 2013(3) RCR (Civil) 946** that right to health is a fundamental right. The classical

observation of Hon'ble Supreme Court of India in this historical case of Medical Negligence is as below:

*“Before parting with the judgment we are inclined to mention that the number of medical negligence cases against doctors, Hospitals and Nursing Homes in the consumer forum are increasing day by day. In the case of **Paschim Banga Khet Mazdoor Samity v. State of West Bengal, 1996(3) R.C.R. (Civil) 289 : (1996)4 SCC 37**, this Court has already pronounced that right to health of a citizen is a fundamental right guaranteed under Article 21 of the Constitution of India. It was held in that case that all the government Hospitals, Nursing Homes and Poly-clinics are liable to provide treatment to the best of their capacity to all the patients.*

The doctors, Hospitals, the Nursing Homes and other connected establishments are to be dealt with strictly if they are found to be negligent with the patients who come to them pawning all their money with the hope to live a better life with dignity. The patients irrespective of their social, cultural and economic background are entitled to be treated with dignity which not only forms their fundamental right but also their human right. We, therefore, hope and trust that this decision acts as a deterrent and a reminder to those doctors, Hospitals, the Nursing Homes and other connected establishments who do not take their responsibility seriously.

The central and the state governments may consider enacting laws wherever there is absence of one for effective functioning of the private Hospitals and Nursing Homes. Since the conduct of doctors is already regulated by the Medical Council of India, we hope and trust for impartial and strict

scrutiny from the body. Finally, we hope and believe that the institutions and individuals providing medical services to the public at large educate and update themselves about any new medical discipline and rare diseases so as to avoid tragedies such as the instant case where a valuable life could have been saved with a little more awareness and wisdom from the part of the doctors and the Hospital.”

22. That Hon'ble Supreme Court of India in **Paschim Banga Khet Mazdoor Samiti versus State of West Bengal, 1994(4) SCC 37** observed as below:

“The Constitution envisages the establishment of a welfare state at the federal level as well as at the state level. In a welfare state the primary duty of the Government is to secure the welfare of the people. Providing adequate medical facilities for the people is an essential part of the obligations undertaken by the Government in a welfare state. The Government discharges this obligation by running hospitals and health centres which provide medical care to the persons seeking to avail those facilities. Article 21 imposes an obligation on the State to safeguard the right to life of every person. Preservation of human life is thus of paramount importance. The Government hospitals run by the State and the medical officers employed therein are duty bound of extend medical assistance for preserving human life. Failure on the part of a Government hospital to provide timely medical treatment to a person in need of such treatment results in violation of his right to life guaranteed under Article 21. In the present case there was breach of the said right of Hakim Seikh guaranteed under Article 21 when he was denied treatment at the various

Government hospitals which were approached even though his condition was very serious at that time and he was in need of immediate medical attention. Since the said denial of the right of Hakim Seikh guaranteed under Article 21 was by officers of the State in hospitals run by the State the State cannot avoid its responsibility for such denial of the constitutional right of Hakim Seikh. In respect of deprivation of the constitutional right guaranteed under Part III of the Constitutions the position is well settled that adequate compensation can be awarded by the court for such violation by way of redress in proceedings under Articles 32 and 226 of the Constitution.”

23. That it is thus evident that there is urgent need of Judicial Review of Administrative and Legislative inaction in ignoring the entire Indian System of Medicines because of which not only unqualified doctors are being recruited but also having large scale of private practice in many private clinics in entire States of Haryana and Punjab. Even Respondent No.1 has failed to take note of the fact that the States have failed to adhere to its advice. It is necessary that a report be called from the Respondent States regarding the doctors practicing in the fields of Indian System of Medicines and their qualifications.

24. That the following law points are involved in the present writ petition for kind adjudication by this Hon'ble court:-

- a) Whether the Respondents are duty bound to protect the health of the citizen as per Article 21 and 47 of the Constitution of India?
- b) Whether the Respondents are duty bound to enact special legislation to regulate the practice of Indian System of Medicine?

- c) Whether unqualified and unregistered private practitioners in the fields of Indian System of Medicines should be allowed to continue?

25. That the petitioner has no other remedy of revision or appeal against the impugned action of the respondents and the petitioner did not avail any remedy or appeal against the impugned action of the respondents except to approach to this Hon'ble Court by way of filing the present writ petition.

26. That the petitioner has not filed any other writ petition either in this Hon'ble Court or in the Hon'ble Supreme Court of India.

It is, therefore, respectfully prayed that Hon'ble High Court may be pleased to issue:-

- (i) Issue a writ the nature of mandamus directing the respondents to immediately constitute board and to enact special legislation for governing practice of Yoga and Naturopathy in the States of Haryana and Punjab in the lines of Special Enactments by the States of Tamilnadu, Madhya Pradesh, Karnataka, Himachal Pradesh, Rajasthan, Maharashtra and for issuance of a writ in the nature of mandamus directing the respondents to take note of the concerns shown regarding the system in the letters dated 09.12.1998 (Annexure P-1) and dated 10.06.2006 (Annexure P-2) and also the report Annexure P-3 and to act in accordance with the same;
- (ii) Any other appropriate writ, order or direction which this Hon'ble Court may deem fit and proper

according to the facts and circumstances of the present case, may kindly be issued.

- (iii) Service of advance notices upon the respondents be dispensed with;
- (iv) Filing of certified copies of annexure be dispensed with;
- (v) Costs of present petition be awarded in favour of the present petitioner.

PLACE: CHANDIGARH

(RAVINDER SINGH DHULL)

DATED: 14.01.2015

PETITIONER IN PERSON

VERIFICATION:-

Verified that the contents of Para No.1 to 23, 25 & 26 are true and correct to my knowledge and belief and Para No.24 is believed to be correct as per legal advice sought from the counsel. No part of it is false and nothing has been concealed therein.

PLACE: CHANDIGARH

(RAVINDER SINGH DHULL)

DATED: 14.01.2015

PETITIONER IN PERSON

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CIVIL WRIT PETITION NO. _____ OF 2015

Ravinder Singh Dhull ---Petitioner

Versus

Union of India and others ---Respondents

Affidavit of Ravinder Singh Dhull Advocate son of
Shri Parminder Singh Dhull, Resident of Flat No.
505, G.H. 17, Sector 20, Panchkula.

I, the above named deponent, do hereby solemnly affirm
and state as under : -

1. That the deponent is filing the accompanying writ petition in the matter of a Public Interest Litigation covering glaring lapses and loopholes in the system of Yoga and Naturopathy due to which not only the system of Yoga and Naturopathy is dying but also the lives of hundreds of innocent patients is brought into risk due to incompetent doctors and untrained staff. There is imminent danger as there is no regularized system of recruitment in place for recruitment of doctors even in the Government Hospitals.

2. That the deponent is a practising advocate before this Hon'ble High Court and other local Courts situated in the area of Chandigarh, Panchkula and Mohali and is regular tax payee and earning his livelihood from the same only. Apart from the practice as advocate, the motto of the deponent is to serve the society and raise issue relating to the large public interest by way of peaceful means.

3. That earlier also the deponent filed Public Interest Litigation bearing CWP No. 23171 of 2010 regarding providing of adequate facilities to residents of village Rahimpur Kheri (District Panipat), CWP No. 20099 of 2011 regarding missing children of Snehalaya (a destitute home situated in Chandigarh) and CWP No. 2691 of 2012 alongwith his wife as petitioner wherein the condition of wetlands situated in the States of Haryana and Punjab was brought into the notice of this Hon'ble Court and CWP No. 14207 of 2012 wherein the CAG report regarding department of Animal Husbandry Haryana was brought into the notice of this Hon'ble High Court. The deponent is an active RTI Activist with over hundred applications lying in various departments in the State of Haryana. He has also brought to the notice to the Govt. about the social evils spreading in the society and the Govt. may control the same and bad elements in the society be dealt with heavy hands.

4. That the deponent is filing the accompanying Public Interest Litigation in accordance the directions/order dated 26.7.2013 passed by this Hon'ble High Court in CWP No.15989 of 2013 and in accordance with "Maintainability of Public Interest Litigation Rules 2010". As per clause 6 o the Rules, it is mentioned that "ordinarily, the PIL may be entertained on any subject of vital public importance and the mater in the present case is of vital public importance.

CHANDIGARH
DATED: 14.01.2015

DEPONENT

VERIFICATION:

Verified that the contents of my above affidavit are true and correct to my knowledge. No part thereof is false and nothing has been kept concealed therein.

CHANDIGARH
DATED: 14.01.2015

DEPONENT

ANNEXURE P-1

No.R.150/18/98-Y&N Desk
Government of India
Ministry of Health and Family Welfare
(Department of ISM&H)

2nd Floor, Red Cross Road,
New Delhi-1

To

Dated: 9.12.98

Dr. HC Shah
B-1/62, Lokmanya Society,
Veer Savarkar Marg,
Thane.

Subject:- Registration for practising Naturopathy-regarding.

Sir,

I am directed to refer to your letter dated 5.11.98 addressed to Shri H.D. Shouri, Director, Common Cause, New Delhi on the above mentioned subject and to say that this Department is concerned with the development of Yoga and Naturopathy in the country. Presently, there is no Board/Law to regulate education in these systems. However, this Department is examining the issue of amendment to the Indian Medicines Central Council Act, 1970 so as to cover Yoga and Naturopathy under its purview.

2. It may not be possible for the Central Government to grant permission to successful and trained students of the IBAM to practice System of Medicines which are not recognised by the Government like Electro Homoeopathy, Tele-Therapy. As regards Maharashtra Government not making registration for those practicing Naturopathy, it is stated that 'Health' being a State subject, it is for the State Government to initiate action to register trained naturopaths in the State. As stated above, the Central Government is examining the issue of amendment to the IMCC Act so as to include Yoga and Naturopathy under its purview. However, if the State Government of Maharashtra is prosecuting any naturopath

who is holding valid degree/diploma from practising the principles of Naturopathy, then you may intimate us to enable us to take up the matter with the State Government.

Yours faithfully,

Sd/- (B.L. Meena)
Director (ISM)

True Typed Copy

Advocate

ANNEXURE P-2

Shri J. Agarwal
International Naturopathy Organisation
B-3/330, Paschim Vihar
New Delhi-110063

Smt. Maneka Gandhi
Member of Parliament (Lok Sabha)
14, Ashoka Road, New Delhi – 110001 Ph.: 23357088

Shri Ambumani Ramadoss
Minister of Health and Family Welfare
144 A wing, Nirman Bhavan
New Delhi 11

10.06.06

Dear Shri Ramadoss

As you are probably aware, during the Standing Committee for Health's examination of the budget provisions of the Health Ministry, the naturopathy department of the Ministry had attracted a great deal of concern.

The department is more or less defunct. It does not even have an idea of what naturopathy is. There is no Advisory board for Naturopathy, no registration for naturopathy practitioners, no standardised syllabus for teaching it, no registration of naturopathic centres. In the absence of any regulation, the field is crowded with quacks and what is being practiced in all the thousands of centres is a uneducated mix of ayurveda, homeopathic and chiropractry, acupuncture, massage, cosmetic treatment and ridiculous practices that have been held up internationally to be fraudulent like skull readjustment and iridology. Basically, all naturopathy has turned into is the worst kind of tawdry health amusement for tourists. It is possible to get a degree through the mail and many so-called Naturopathic doctors have several of these degrees.

I have tested out many of these centres and found them to be dangerous to the health. Many of them, for instance, a naturopathy centre in Karnataka called Saukya claims to cure every kind of

cancer, diabetes and other major disease. It is simply a place for massages. This is typical of many centres all over India.

I have given a detailed note to your Secretary on Naturopathy.

It is important that your reforms include a hard look and reformation of the naturopathy sector as it is the fastest growing alternative treatment. NIN at Pune should have its counterparts in other states.

There should be mandatory accreditation for each private centre. A team of experts should make a syllabus to be followed and a recognised degree that involves professional and streamlined study.

The Department should have a Council and research officers.

The Secretary of Ayush had promised that this would be done in a few months. Please do let me know how far your Ministry has progressed.

I enclose a note made by the International Naturopathy Association

With best wishes.

True Typed Copy

Advocate

ANNEXURE P-4

No.R.15016/5/2004-Y&N
Government of India
Ministry of Health & Family Welfare
(Department of AYUSH)

IRCS Building,
1, Red Cross Road,
New Delhi – 110 001.

Dated: 4th September, 2006.

To

The Secretaries (Health) of all States and Union Territories.

Sub: Guidelines for the registration of Naturopathy practitioners and
for the accreditation of Naturopathy institutions- reg.

Sir/Madam,

1. The question of the most appropriate regulatory framework for Naturopathy has been under the consideration of the Central Government for some time now. While Naturopathy is one of the AYUSH systems, there is no Central legislation to regulate it unlike the case of Ayurveda, Unani and Siddha which are regulated by the Indian Medicine Central Council Act, 1970 and Homoeopathy which is regulated by the Homoeopathy Central Council Act, 1973. These Acts regulate medical education and the registration of practitioners and provide the regulatory framework for all aspects of these systems. In the case of Naturopathy, however, the only legislation available in the country is the State Acts in Andhra Pradesh, Karnataka, Tamil Nadu and Madhya Pradesh which regulate the registration of practitioners in these states. The primary reason for the absence of Central legislation is the fact that the number of registered practitioners in Naturopathy and the number of medical colleges offering Naturopathy education in the country

is very small, both in absolute terms and when compared to the other AYUSH systems.

2. The absence of a statutory regulatory framework for Naturopathy has begun to be increasingly felt with the proliferation of establishments purporting to be providing “naturopathic” therapies and services. Given the unorthodox and extremely unconventional treatments and therapies being purveyed by such practitioners and establishments, there are legitimate fears about the health and safety of the public who willingly or otherwise patronise such practitioners and establishments. These fears about the health and safety of the public must also be seen in the context of the fact that fraud and quackery are often associated with these so-called therapies and treatments. In these circumstances, the Government would be failing in its duty if some kind of regulation is not imposed on the practice of Naturopathy in the country.
3. The issue has been carefully considered and it is felt that the most appropriate course of action would be for the State Government to enact comprehensive legislation for the regulation of Naturopathy. Such legislation should ideally cover the registration of practitioners, the regulation of medical education and all related matters. However, since the enactment of legislation would take some time, it is recommended that a system for the registration of Naturopathy practitioners and for the accreditation of Naturopathy institutions be put in place immediately on the basis of guidelines which have been formulated by this Department, a copy of which is enclosed herewith.

4. It is therefore requested that the State Government take immediate action to enact suitable legislation for the regulation of Naturopathy. In the meantime, it is recommended that a system be set up for the registration of practitioners and for the accreditation of institutions on the basis of the guidelines enclosed.

Yours faithfully,

(Verghese Samuel)
Joint Secretary

Copy for information to the Chief Secretary.

--contd.---

Guidelines for the Registration of Naturopathy practitioners and Accreditation of Naturopathy institutions

1. Definitions

- a) “Naturopathy” means a drugless, non-invasive, system of therapy involving the use of natural materials in its treatments based on the theory of vitality, the theory of toxæmia, the theory of the self healing capacity of the body and the principles of healthy living.
- b) “Naturopathy Institutions” means (i) Medical colleges conducting the Bachelor of Naturopathy and Yogic Sciences (BNYS) Course and (ii) Hospitals.
- c) “Hospital” means a Naturopathy Hospital with minimum of 10 In Patient beds and an Out-Patient Department.

2. Registration and Accreditation

- a) Accreditation is the recognition granted to educational institutions and hospitals to signify the attainment of an acceptable level of professional expertise, academic quality and integrity.
- b) Registration means the registration of Naturopathic practitioners under para 4 of these Guidelines.
- c) There will be a competent authority for the grant of Registration and Accreditation in each State and Union Territory to be nominated by the Central Council for Research in Yoga and Naturopathy (CCRYN).
- d) The competent authority will grant Registration and Accreditation on the basis of these guidelines and will have the authority to conduct inspections and evaluation visits for the purpose.
- e) Accreditation will be for fixed period of 5 years and will have to be renewed after the expiry of this period.

- f) The registration will be valid throughout the country.
- g) The competent authority will notify the date on which the registration and accreditation scheme will come into force.

3. Expenditure incurred by the competent authority to be met by the Central Government

The expenditure incurred by the competent authority on the registration of Naturopathy practitioners and the accreditation of Naturopathy institutions will be reimbursed by the Central Council for Research in Naturopathy and Yoga.

4. Registration of Naturopathy Practitioners

- a) Class "A" registration will be given to institutionally qualified professional practitioners possessing a 4/4½ years Diploma in Naturopathy (N.D.) awarded by the Government of Andhra Pradesh/Osmania University OR a 5/5½ years Degree in Bachelor of Naturopathy & Yogic Sciences from any University set up by a statute.
- b) In exceptional cases Class-A Registration may also be given as a one time measure to self educated Naturopathic practitioners who are Post-graduates in any subject and who have at least 25 years of working experience in reputed and established Naturopathic hospitals or colleges and who are not less than 45 years of age.
- c) In recognition of the fact that there are a significant number of self educated Naturopathy practitioners, Class "B" registration may also be given as a one time measure to self-educated full time Naturopathy practitioners who are not institutionally qualified, are not less than 35 years of age, who have a minimum of 15 years of full time

proven clinical experience and who have passed Class XII or 10+2 from a State Board, the CBSE or the ICSE.

- d) Those Naturopathy practitioners who have been duly registered under Statutory State Board will be granted registration in the same category as granted to them by the State Board.

5. Procedure for applying for Class “A” registration in respect of institutionally qualified practitioners

- a) A practitioner who has been awarded a degree or diploma in Naturopathy from any recognized University or Government authority in India may apply for registration to the competent authority in Form A along with documentary evidence of the professional qualification obtained.
- b) The competent authority may grant registration to the applicant subject to:
 - i) the verification of the professional qualification obtained by the applicant from the University concerned;
 - ii) being satisfied about the professional expertise, the maintenance of ethical standards and professional conduct of the applicant which may be verified by means of a local inquiry.

6. Procedure for applying for Class “A” registration in respect of self educated practitioners

- a) A self educated practitioner desirous of obtaining Class “A” registration under para 4 (b) should, within three months of the Registration scheme coming into force, submit an application in Form B along with documentary evidence relating to age, length of practice, educational qualification, professional qualification, etc.

- b) The Experience certificate submitted should be countersigned by the Chief Medical Officers of the district/s in which the applicant has practiced.
- c) After verification by means of a field enquiry of the details contained in the application including the documentary evidence submitted, the competent authority shall call all the eligible candidates for a written examination consisting of two papers of 100 marks each.
- d) Candidate scoring 50 per cent in the aggregate or above in both the papers in the written examination will be allowed to appear for an Oral and Practical examination to be conducted by the competent authority of 50 marks each which would cover the theory and practice of Naturopathy, the minimum pass mark for which would be 60 percent in each.
- e) Successful candidates will be awarded a Class "A" registration which will only entitle them to private practice.
- f) No further Class "A" registration for self educated practitioners under para 4 (b) shall take place after the completion of the process detailed above.

7. Procedure for applying for Class "B" registration in respect of self educated practitioners

- g) A self educated practitioner desirous of obtaining Class "B" registration, should, within three months of the Accreditation scheme coming into force, submit an application in Form C along with documentary evidence relating to age, length of practice, educational qualification, professional qualification, etc.

- h) The Experience certificate submitted should be certified by the Chief Medical Officer/s of the district t/s in which the applicant has practiced.
- i) After verification by means of a field enquiry of the details contained in the application including the documentary evidence submitted, the competent authority shall call all eligible candidates for a written examination.
- j) Candidates scoring 50 per cent or above in the written examination will be allowed to appear for an Oral and Practical examination of 50 marks each which would cover the theory and practice of Naturopathy, the minimum pass mark for which would be 50 percent in each.
- k) Successful candidates will be awarded a Class "B" registration which will only entitle them to private practice.
- l) No further Class "B" registration under para 4 (c) shall take place after the completion of the process detailed above.

8. Accreditation of institutions

- a) The objectives of the accreditation of institutions are:-
 - i) To ensure that Naturopathy hospitals offer safe, reliable and quality medical and health care;
 - ii) To ensure that institutions offering Naturopathy Medical Education are of acceptable academic quality relevant to the health care requirements of the country.
- b) Institutions desirous of being accredited should apply to the competent authority in the proforma accompanied by an application fee to be prescribed by the CCRYN.

9. Accreditation of Naturopathy Medical Colleges

- a) The following subjects should be taught in a BNYS degree course offered by a Naturopathy Medical College:

1st Year Duration – One year

1. Anatomy
2. Physiology
3. Bio-chemistry
4. Philosophy of Nature Cure
5. Yoga Practical Classes

2nd Year Duration – One year

1. Pathology
2. Microbiology
3. Community Health
4. Yoga Philosophy
5. Magneto Therapy and Chromopathy

3rd Year Duration – One year

1. Manipulative Therapeutics
2. Acupuncture
3. Yoga Application
4. Fasting Therapy
5. Naturopathy Diagnostics – Iris Diagnosis a facial Diagnosis
6. Modern Diagnosis and First Aid

4th Year Duration – 1½ year

1. Dietetics, Nutrition and Herbs
2. Obstetrics and Gynaecology
3. Yogic Therapy
4. Hydrotherapy
5. Physiotherapy
6. Holistic Practice of Naturopathy & Yoga
7. Allied Subjects:-

- i) Forensic Medicine and Toxicology – 30 hours
 - ii) Psychological aspects of patient management – 30 hours
 - iii) Hospital Administration (Naturopathy & Yoga) – 20 hours
 - iv) Research Methodology – 20 hours
- b) The norms for the accreditation of Naturopathy Medical education institutions offering BNYS courses are as follows:-
 - i. The institution should have obtained a Consent of Affiliation Certificate or an Affiliation Certificate from the concerned affiliating University.
 - ii. The institution should have obtained a No Objection Certificate from the concerned State Government.
 - iii. The institution should be located in a single plot which is at least 3 hectares in area owned by the institution or taken on long lease for a period of 90 years at least subject to the condition that in urban areas the institution may be located in two separate plots within a reasonable distance from each other with a total area of 3 hectares.
 - iv. The institution should have a fully functional Naturopathy teaching hospital with a minimum of 100 beds.
 - v. The student: bed ratio should be 1:3 subject to a minimum of 30 students.
 - vi. The Class Rooms and other academic infrastructure should be sufficient for providing instruction to the sanctioned student strength.
 - vii. Laboratories should be available as follows:

- * Basic Medical Sciences
 - * Laboratories for Naturopathy disciplines – Nutrition, Acupuncture, Physiotherapy,
 - * Clinical Naturopathy Lab (2 nos.) with Demonstration Facility,
- viii. There should be a Museum with display facilities for the subjects of Hydrotherapy, Manipulative Therapies, Fasting therapy, Chromo therapy, Magneto therapy, etc.
- ix. There should be a Yoga Hall of sufficient size with a minimum area of 2 sq. mt. per student.
- x. The Kriya Section should be attached to the Yoga Hall.
- xi. The staffing pattern will be as follows:-
- * Principal – N.D. (Hyderabad/Osmania)/BNYS with a minimum of 15 years of experience from a recognized University of which teaching experience should be for a minimum of 10 years.
 - * Professor – ND (Osmania)/BNYS with 5 years experience as Associate Professor.
 - * Associate Professor – ND (Osmania)/BNYS with 5 years experience as Assistant Professor OR Post Graduate in Naturopathic Medicine + Post Graduate/Ph.D. In Naturopathy & Yoga with 3 years experience.
 - * Assistant Professor – ND (Osmania)/BNYS with 5 years experience as a Lecturer.
 - * Lecturer – ND (Osmania)/BNYS.

- * There should be separate teachers for each subject.
- c) A Naturopathy Teaching Hospital shall have the following infrastructure and facilities.
- i) Administrative area
 - ii) Treatment section
 - iii) The treatment modalities required are given below:
 - * 2 sections (Male and Female separately) to be available.
 - * Hip bath 4 nos., Plain Spinal Bath 2 nos. and Spinal Spray 2 nos.
 - * Immersion bath tubs 3 nos.
 - * Contrast arm and foot bath 2 nos. and Plain arm and foot bath 1 no.
 - * Compress and Local packs in one unit with 2 treatment couches.
 - * Common bathrooms 2 nos.
 - * Jet bath unit 1 no. in one hall with Circular jet bath as well as Douche unit 2 nos.
 - * Enema room with treatment area having 1 enema couch with sufficient privacy and 1 wash basin and 3 Indian toilets and 1 western closet.
 - * Mud therapy unit consisting of 1 mud storage tank, 1 mud curing tank, racks to store packs and trays and working slab to prepare mud packs.
 - * Local steam and Facial packs with 3 treatment couches.

Department of Manipulative therapy

- * Therapeutic Oil massage unit with 4 treatment rooms.
- * Vibromassage unit with 2 treatment rooms with suitable sized couches.

Department of Acupressure and Acupuncture

- * There should be 3 treatment couches with suitable electrical points for giving acupressure and acupuncture treatment.

Special treatment areas

- * Sauna cabin-5 seater with 2 attached bathrooms,
- * Steam Room-5 seater with 2 attached bathrooms,
- * Jacuzzi-single seater – 2 nos. with 1 attached bathroom,
- * One exclusive unit for Colon Hydrotherapy.

Physiotherapy

- * Separate cabins for electrotherapy units of dimensions 10 x 5 ft [ultrasound, IFT, Shortwave Diathermy, Moist Heat, Paraffin Wax Bath, Traction unit, Ultraviolet and Infrared Radiations, Muscle Stimulator, Electromagnetic Bed, Electromagnet Therapy unit].

Exercise therapy

- * Unit should have a large hall with low lying broad cots 3 nos. with provision for partitions.

Fitness Centre

- * Devices like multi stations, exercise benches, and exercise balls should be available.

Inpatient Department

- * Minimum Bed Strength should be 100 beds.

Wards –

- * Male Ward, Female Ward and Special Rooms.

Emergency Management Unit –

- * Nebulizer, Essential medicines, Examination couch, Adjustable cot, Oxygen Cylinder.

Diet Centre –

- * Kitchen – Steam cooking facility should be available.
- * Dining hall with seating capacity for 60 persons.
- * Separate Juice Room.

Library –

- * Should have a reading room and Internet facilities.

Indoor Recreation Lounge

- * There should be a television room for general and special ward patients and provision for indoor games like chess, carom and table tennis, etc.

Stand By Generator should be installed

Outdoor Facilities

- * Waling track of 2 kms. with reflexology Segment.

Hot water facility

- * There should be a 24 hours hot water facility in the hospital.

Staff quarters

- * Adequate Staff Quarters should be provided.

Clinical laboratory

- * A fully equipped clinical laboratory with sufficient storage area and working space.

10. Accreditation of Naturopathy Hospitals

- a) Naturopathy hospitals and other health facilities shall be planned and operated to provide the highest standards of patient care.
- b) A Naturopathy Hospital will have to conform to the following norms if it is to obtain accreditation.
 - i) The hospital should be owned by the applicant.
 - ii) The environment in which the hospital is located should be free from pollution as defined by the law.
 - iii) The location of a hospital shall comply with all local zoning regulations.
 - iv) A hospital shall provide and maintain a safe environment for patients, personnel and public.
 - v) A ramp or elevator shall be provided for ancillary, clinical and nursing areas located on the upper floors. Ramps shall be provided at all entrances to the hospital.
 - vi) A hospital shall have provision for adequate potable water supply.
 - vii) Floors, walls and ceilings should be durable, fire resistant and cleanable.
 - viii) There shall separate Male and Female Wards.

- ix) There shall be suitable fire detection and alarm systems and fire extinguishing systems in the hospital.
- x) The hospital should conform to all existing fire, safety and environmental legislation.
- c) The minimum Staffing requirements for a Clinical Naturopathy Hospital shall be as follows:-
- i) The hospital should have sufficient qualified Naturopaths with a minimum doctor : patient ratio of 1:30 subject to a minimum of 1 doctor.
- ii) Para-medical staff at the following minimum scale should be available:

	10 Beds	20 Beds	30 Beds	50 Bed	100 Beds
Treatment Attendants	2	3	6	8	16
Yoga Instructors			1	1	2

- iii) Administrative staff at the following minimum scale should be available:

	20 Beds	30 Beds	50 Beds	100 Beds
Office Superintendent			1	1
Senior Assistant				1
Junior Assistant			1	1
Data Processing Officer				1
Cashier	1	1	1	1
Telephone Operator			1	1
Canteen Supervisor			1	1
Cooks	1	1	2	2
Assistant Cooks		1	1	2
Canteen Attendants	1	1	2	4
Attenders			2	3
Sweepers	1	2	3	4
Gardeners	Optional	Optional	1	2

- iv) The minimum area requirement for a hospital will be as follows:-

	10 Beds	20 Beds	30 Beds	50 Bed	100 Beds
	(Area in Sq. mt)				
1.Consultation and Examination	10	10	15	20	30
2.Administrative Block	Nil	10	15	20	40
3.Reception	10	10	10	20	30
4.Male Treatment Section Massage	20	30	50	75	100
Mud Therapy	10	15	20	25	40
Hydrotherapy	20	30	40	50	100
Magneto therapy	Nil	10	15	20	30
Chromo therapy (on the terrace)	10	15	20	30	40
5.Female Treatment Section	Same as in Male Treatment Section.				
6.Physiotherapy	10	15	20	30	60
7. Kitchen	10	15	20	30	40
8. Dining Hall	10	15	20	25	40
9. Yoga Hall	20	30	40	60	75
10.Kriya Section	10	15	20	25	30
11. Gym	10	20	30	40	75
12. Library	20	30	40	60	75
13. Recreation Hall	20	30	40	50	75
14. Seminar Hall	Nil	40	60	75	100
15. Health Shop	Nil	15	20	25	30
16. Laboratory	20	30	40	75	100
17. Wards	100	200	300	500	1000
No. of Doctors	1	2	2	3	6

- v) The following minimum scale of equipment should be available in a Naturopathy hospital.

Particulars	Nos. of equipment				
	10 Beds	20 Beds	30 Beds	50 Beds	100 Beds
Enema	2	3	4	6	10
Hip Bath	2	3	4	6	10
Spinal Bath	2	3	4	6	10
Steam Bath	1	2	2	3	4
Foot and Arm Bath	1	1	2	3	6

Massage Table	2	4	5	6	10
---------------	---	---	---	---	----

vi) Equipment at the following minimum scale should be available in a Naturopathy hospital for the procedures listed below:-

Procedure	30 Beds	50 Beds	100 Beds
Spinal spray	2	3	5
Sauna	1	1	2
Immersion Bath	2	3	6
Under water massager	1	2	4
Whirlpool Bath	Optional	1	2
Short Wave Diathermy, IFT, Muscle-stimulator, Wax Bath, Traction, Ultrasound, etc.	As per requirement of the patient.		

True Typed Copy

ANNEXURE P-5

Central Council for Research in Yoga & Naturopathy, New Delhi

NOTICE

This Council is receiving frequent letters from students and parents that they are being cheated by some of the organizations offering courses claiming to be Recognised Diploma Courses in Naturopathy of 1 year to 3½ years duration namely – N.D., D.N.Y.S., D.N.Y.T., H.D.N.Y., N.D.D.Y., D.A.M.S., B.N.M.S. etc. This is to inform to all concerned that about 100 such parties/so-called organisations are claiming that they are running/conducting recognised Diploma Courses in naturopathy. Some of them are even using the word “Recognized/Approved/Authenticated/Granted/Authorized/Affiliated etc. by CCRYN, Govt. of India, Ministry of Health & F.W.” It is clarified to all students and parents that there is no such Recognised Diploma course in Naturopathy being run anywhere in India. The students are advised not to get misguided by such type of false advertisements/claims.

There is only one Recognised ‘Bachelor of Naturopathy & Yogic Sciences’ (BNYS) Degree course of full time/regular 5½ years duration which is being run by 10 Colleges duly Affiliated to the respective Universities and Recognized by their respective State Govts. The list of these colleges are given separately.

Naturopathy is a practical and perfect medical science. It cannot be learnt through part time or postal or external courses. Those who are interested in Naturopathy should join full-time BNYS Degree Course as like MBBS, BAMS, BUMS, BHMS, BSMS, BPT, BDS. After passing out, the Degree of BNYS is awarded by the Concerned University. Such qualified Naturopaths do receive Class ‘A’ Medical

Registration in Naturopathy & Yoga by their respective State Govt.'s Board of Medical Registration.

It has also been brought to the notice of Council that some organizations are issuing registration certificates to practitioners of Yoga & Naturopathy saying that such certificates will enable them practice these sciences. It is clarified that such registration certificates issued by private organizations are of no legal value for practicing these sciences. In some states like AP, Karnataka, TN etc. State Governments have recognised Degree Colleges of BNYS and qualified practitioners are issued Registration Certificates by respective Board of Indian System of Medicine constituted under Acts of respective States. In some states provisions for registration are yet to come up. Public is hereby advised that they should not be misled by advertisements issued by private organizations in regard to registration and practice.

It is also found that some institutions claiming to be affiliated institutions of Certain Deemed Universities are issuing advertisements for Yoga & Naturopathy Degree/Diploma Courses.

It is clarified that except for above stated 10 Colleges rest of the Courses conducted by such institutions, Deemed Universities, cannot be treated as recognised professional course in the Medical Systems of Naturopathy & Yoga Therapy.

Director

True Typed Copy

Advocate

