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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12389/2018 & CM No. 48061/2018

THE COUNT MATTEI ASSOCIATION Petitioner

Through: Mr Dhruv Surana, Mr Ashish Choudhary and Mr Rahul Arya, Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr Ashim Sood, CGSC with Mr Rhythm B. Advocates for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 30.11.2018

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.2 (Department of Health and Research) to consider the representation of the petitioner alongwith other proposals.
2. The learned counsel appearing for respondent no.2 states that an inter departmental committee was formed to consider all proposals with regard to recognition of an alternative systems of medicines in order to make recommendations for framing a statute in this regard. He states that approximately 25 proposals were received from various bodies and it was decided that the said bodies would submit a joint proposal.
3. The petitioner is not one of 25 such bodies, as the petitioner had not attended one of the key meetings. He submits that he has instructions that

the petitioner can make a proposal to the said joint body constituted by the organisations who are in the process of submitting a final joint proposal. He further states that instructions would be given to the said bodies to consider the petitioner's representation as well.

4. In view of the above, no further orders are required to be passed in this petition. The petitioner would be at liberty to make a proposal as aforesaid.

5. The petition and the pending application are disposed of.

VIBHU BAKHRU, J

NOVEMBER 30, 2018
MK

By Speedpost / E-mail

No. U-11018/02/2017-HR (Vol. IV)
Government of India
Ministry of Health and Family Welfare
(Department of Health Research)

IRCS Building, 2nd Floor,
1, Red Cross Road, New Delhi-110001.
Dated, the 6th September, 2018.

To

Dr. Kuldip Tiwari,
C2C/123, Pocket-12,
Janak Puri,
New Delhi-110058.

Subject : Submission of common proposal for recognition to Electropathy /
Electrohomoeopathy.

Sir,

Please refer to your letter, dated 06.08.2018, forwarding therewith the combined proposal on 'Electrohomoeopathy', which was called for vide this Department's letter No. U-11018/02/2017-HR (Vol.III), dated 20.06.2018. It has been noted that this combined proposal has been submitted on behalf of the twenty-five bodies as per the list incorporated in Part-I of the proposal and the sheets attached to your letter, containing signatures on behalf of them. Page No.124 in Part-I of the proposal provides a list of seven persons, who are supposed to interact with the Inter-Departmental Committee / this Department in the matter. It is presumed that nomination of these seven persons is as per mutual agreement among the said twenty-five bodies. **This may be confirmed.**

2. Now, upon preliminary physical scrutiny of the proposal, it has been noted that :

(i) As per of your letter, out of twenty-nine bodies to whom this Department's letter was addressed, twenty-five only have agreed to submit a joint proposal, and the remaining four are not interested to join and submit a common proposal. Therefore, it implies that the following bodies / individuals are not participating in the process:

- (a) Swapan Memorial Electrohomoeopathic Medical College & Hospital, West Bengal.
- (b) WEHO
- (c) Dr. Mangesh Suryawanshi, Madhya Pradesh.
- (d) Shri Neeraj Kosta

(ii) Two statements attached to your letter contain signatures on behalf of the twenty-five bodies. [Incidentally, it is noted that in respect of eight bodies i.e., GCESM, EHMB, ERDOI, IEHRSC, VERL, MBEHSM, AOEHPA and ERF(I)-Delhi, there are signatures in both the statements].

(iii) As regards the salient features, etc., in respect of each of the bodies, which were required to be furnished as per para-2(iii) of this Department's letter, these details for all 25 bodies are not there in Annex-XVI of Part-III of the proposal. While some of these have been incorporated in that annexure, some have been handed over separately. The

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papers, handed over separately, should also be included in Annex-XVI of Part-III, so that information on all 25 bodies is available at the same place. Again, details of some organisations, who were not among the original twenty-nine bodies, have been included. Also, while in some case, avoidable material has been incorporated, in some case material furnished is not at all legible. A 'Checklist' prepared in this regard is **enclosed**, which will explain the position.

(iv) In spite of the advice given *vide* para-2(v) of this Department's letter, no '**Response Section**' has been included in the proposal.

(v) It appears from the 'signature sheet' that the same person has signed on behalf of two organisations from West Bengal, i.e., AIEMA and GCESM (S.Nos. 2 & 5 of the sheet). **It may be clarified** if the same individual is heading both the organisations.

3. The above-mentioned points are based on preliminary physical scrutiny only of the proposal. As regards the actual contents, i.e., the scientific part of the proposal, it too is under preliminary consideration *vis-a-vis* Committee's requirement, and you will be informed of observations, if any, on the issue in due course. **In the meantime, you are requested to rectify the inconsistencies mentioned at paras-2(iii) & (iv) above.** However, the confirmation and clarification, asked for in para-1 and para- 2(v) above respectively, may now be conveyed to this Department.

4. Lastly, the name of the organisation to which you (Dr. Kuldip Tiwari) belong, has not been indicated in the address provided in your letter. In future, whoever among the listed seven persons (*nominated on behalf of the twenty-five of you*) signs a letter addressed to this Department, the name of the organisation to which the signatory belongs, may invariably be indicated in the address.

Encl. : As stated.

Yours faithfully,


(Om Parkash)

Under Secretary to the Government of India
Tel. No. 23736090