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

+ **W.P.(C) 6632/2022**

ASHWINI KUMAR UPADHYAY

.....Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Kirtiman Singh, CGSC with
Mr.Waize Ali Noor, Mr.Ranjeev
Khatana and Mr.Maulik Khurrana,
Advocates for UOI.
Mr.Prabhas Bajaj, Advocate with
Mr.Harsh Chauhan, Advocate for
IMA.
Mr.Ritesh Kumar Pandey, Advocate
for MLAG.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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19.11.2024

1. Present writ petition has been filed seeking a direction to the respondents to adopt the Indian holistic integrated medicinal approach rather than segregated approach of teaching Allopathy, Ayurveda, Yoga, Naturopathy, Unani, Siddha and Homeopathy separately. The prayers in the present writ petition are reproduced herein below:-

“a) adopt the Indian Holistic Integrated Medicinal Approach rather than Colonial Segregated way of Allopathy, Ayurveda, Yoga, Naturopathy, Unani, Siddha and Homeopathy in order to secure right



to health, the most important human right guaranteed under Articles 21, 39(e), 41, 43, 47, 48(a), 51A(g), 51A(j) of the Constitution;
b) implement a Holistic Integrated Common Syllabus and Common Curriculum of Allopathy, Ayurveda, Yoga, Naturopathy, Unani, Siddha and Homeopathy for all Medical Colleges in order to secure right to health guaranteed under Articles 21, 39(e), 41, 43, 47, 48(a);
c) alternatively, direct the Centre to constitute an Expert Committee having Experts of Allopathy, Ayurveda, Yoga, Naturopathy, Unani, Siddha & Homeopathy to examine Integrated Healthcare Approach of the developed countries and particularly China and Japan;
d) pass such other order(s) as the Court deems fit and proper.”

2. The petitioner, who appears in person, states that if the relief sought for is granted, it would promote the right to health, the most important human right guaranteed under Articles 21, 39(e), 41, 43, 47, 48(a), 51A(g) and 51A(j) of the Constitution.

3. In the counter affidavit filed by the Respondent No.2-Union of India, it is stated that the NITI Aayog, Health and Family Welfare Division has constituted a Committee on formulation of Integrative Health Policy vide office memorandum dated 13th August, 2020 to examine and submit its report on the following terms of reference:-

- i. “Propose framework of comprehensive integrative health policy to achieve an inclusive, affordable, evidence-based healthcare;*
- ii. Suggest recommendations for effective implementation of integrative healthcare through Education, Research and Clinical Practice;*
- iii. Propose roadmap for disease preventive and health promotion in National programmes based on modern and traditional integrative approaches.”*

4. This Court is informed that the aforesaid Committee has not submitted its report till date.

5. Consequently, this Court directs the aforesaid Committee to treat the present writ petition as a representation/suggestion and to consider the same



in accordance with law while preparing the report. With the aforesaid direction, the present writ petition stands disposed of.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

NOVEMBER 19, 2024
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