CCMP in Maharashtra: What the Law Says, and What Is Still Open

A dated guide for BHMS doctors, and for hospitals that employ them

A free guide from DoctorLawyer™ Medicolegal Consulting Services
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High Court case status read on 7 November 2026. The texts and searches were read on 2 November 2026, as dated in the guide. The position may change at any time, above all when the Bombay High Court gives judgment. Check the date on this guide, and check the position yourself (section 5) before you rely on it.

Before you read

Maharashtra law mentions the Certificate Course in Modern Pharmacology (the CCMP), and a case on that law has been before the Bombay High Court since 2014. Messages about it circulate widely, many without a date, a case number or a source.

This guide sets out what the official texts say, what the High Court has said so far, and which questions are still open. **It does not say whether any doctor may or may not prescribe modern medicine. That depends on questions that no court has yet answered, and on the facts of each practice.**

It is general information, not advice on any practice, prescription, complaint or case. Words in quotation marks are from the official texts or, for the case status, the court's website.

1. What the State law says

The homoeopathy Act. An amending Act of 2014 (Maharashtra Act No. XIX of 2014, published in the Government Gazette on 25 June 2014) amended section 20(12)(a) of the Maharashtra Homoeopathic Practitioners' Act, 1960. As amended, it says that every registered practitioner "shall practice [Homoeopathy] [and the Modern Scientific Medicine (Allopathy) in the State to the extent of knowledge received by passing the Certificate Course in Modern Pharmacology approved by the State Government]". The square brackets mark words added by amendments. Their validity is under challenge in the Bombay High Court, and judgment was awaited when we last checked (7 November 2026).

Three things in those words matter:

- **"in the State"**: the words refer to practice in the State;
- **"to the extent of knowledge received"**: the measure is what the course taught, and the Act gives no list;

- **"approved by the State Government"**: the course is the one the State has approved.

The medical council Act. The same 2014 amendment changed the Maharashtra Medical Council Act, 1965. Its definition of "Medical practitioner" now has a proviso that it shall not "exclude the registered practitioner ... who have passed the Certificate Course in Modern Pharmacology approved by the State Government". As amended, the Council's register "includes a separate register" for these practitioners.

2. What the High Court has said so far

The case is **Writ Petition No. 7847 of 2014**, filed in August 2014 in the Bombay High Court by the Indian Medical Association, Pune Branch, against the State of Maharashtra and others. It challenges the 2014 amendment.

The orders we have read are interim orders. The most important is the order of **17 September 2025**, on an application to stop registration on the separate register. The court found "no merit" in that application, and said:

- those registered "shall not claim any equities by virtue of them having been registered";
- they "shall strictly comply with the competencies in the medical conditions as prescribed for the said Course" and "shall not transgress such competencies";
- "the registration of the candidates who have qualified in the said Course shall be subject to the final orders passed in the above Writ Petition".

In the same order, the court recorded the State's description of the competencies: CCMP doctors "are to only provide primary care of medical conditions which are not of a serious nature", and serious cases, or those needing surgery, are to be referred. That was the State's submission, not a finding by the court.

Status. When we read the court's website on 7 November 2026, the case showed **"Judgement Reserved"**, with the last date 10 September 2026. No judgment had been given.

An interim order is not a decision that the 2014 amendment is valid. It allows registration to continue, on stated terms, until the final decision.

Another petition, Writ Petition No. 7846 of 2014, is also on the record; we have not confirmed its subject.

The two sides, as the 2025 order records them. The petitioner says that the central law on medical practice (the Indian Medical Council Act, 1956, when the petition was filed) occupies the field, that the course is not recognised under that central law, and that the separate register would get round the central bar; it too relies on Supreme Court decisions. The State says that the same arguments failed at the interim stage in 2014, that the amendment is consistent with earlier Supreme Court decisions, and that the parent Medical Council Act received the President's assent. The court left these arguments to the final hearing.

3. What the State Government has done

By a Government Resolution of **3 August 2026** (in Marathi; the summary here is our unofficial English rendering), the State set up a committee to study and recommend to the Government on several matters, including fixing the competencies of BHMS-CCMP doctors according to the syllabus, and a

procedure for handling negligence complaints against them. The committee was to report within a month. We have found no later Government Resolution on its recommendations (last searched 2 November 2026).

4. What the texts say, and what is open

What the official texts say (these are words on paper, not answers to the open questions):

Text	What it says
Maharashtra Homoeopathic Practitioners' Act, s. 20(12)(a), as amended in 2014	The words quoted in section 1
Maharashtra Medical Council Act, as amended in 2014	A proviso to the definition of "Medical practitioner", and a separate register
National Medical Commission Act, 2019, s. 34(1)	No person other than one "enrolled in the State Register or the National Register" shall "be allowed to practice medicine as a qualified medical practitioner"
Drugs Rules, 1945, r. 2(ee)	Defines "Registered medical practitioner"; clauses (ii) and (iii) carve out homoeopathy in express words
The National Commission for Homoeopathy's ethics regulations of 2022, reg. 36(y)	Lists as professional misconduct where a homoeopath "practices, any other system of medicine other than Homoeopathy", with a proviso for practice under Central or State Government health programmes after training or a course recognised or prescribed by the competent authority
High Court order, 17 September 2025	Interim terms set out in section 2

What is open (no court decision found on any of these):

1. Whether the 2014 amendment is valid, given the central law on who may practise medicine. This is what the High Court is deciding (see the two sides in section 2).
2. Whether a CCMP holder on the Council's separate register is a "Registered medical practitioner" under the Drugs Rules, so that a chemist may sell prescription medicines on that doctor's prescription.
3. Whether regulation 36(y) of the homoeopathy regulations applies to a homoeopath whose State law mentions modern medicine.
4. What "to the extent of knowledge received" covers in practice. No official list of competencies or medicines has been found in a published source (University website and Government Resolutions portal, last searched 2 November 2026).
5. Which standard of care a court would apply if a patient is harmed by modern medicine treatment given by a CCMP holder.
6. Which council would hear a complaint about that treatment.
7. What happens to registrations, and to treatment already given, if the petition succeeds.

If the amendment stands, its own words tie practice to the extent of the course; what that covers is open (item 4). The interim order does not decide whether CCMP practice is lawful. It directs registrants not to transgress the competencies, and says registration is subject to the final orders.

5. How to check the position yourself

The High Court. Open bombayhighcourt.gov.in and choose Case Status. Search by CNR number HCBM010317232014, or by case number: Appellate Side (AS), Register, case type "WP - Writ Petition", number 7847, year 2014 (menu names may change). The Status line shows whether judgment is still reserved, or whether the case has been decided or disposed of. Open the latest order or judgment listed on the same page and read it, not a summary of it.

The State Government. Government Resolutions are published on gr.maharashtra.gov.in. Search by department (Medical Education and Drugs) and date; the 3 August 2026 resolution is numbered MEDD-14021(1)/8/2026.

Be careful with forwards. A message that names no case number, no date and no order is not a source. If a message says the High Court has decided, the court's own website will show it.

6. What careful practice looks like while the question is open

These are general points of good practice, not advice on any individual practice.

1. **Let the patient understand who you are.** Good practice judges a board or a prescription by what the patient understands from it. Your board, letterhead and prescription should state your qualifications honestly, so that no patient believes you hold a qualification you do not.
2. **Write a complete record.** For every patient: the findings, what you did, why, and what you told the patient. If you referred, write where, when and why.
3. **Refer when in doubt.** The State told the court that the competencies are primary care with referral of anything serious; that is a submission, not a finding or a rule. Referral when in doubt is sound practice whatever the outcome.
4. **Keep a copy of every prescription** you write, with your notes.
5. **Check the court's own record before changing anything because of a forward**, and take advice on what any new order means for you.
6. **If you employ BHMS doctors** (for example as resident medical officers), do not assume that standing orders or supervision settle the open questions. Take advice on your own arrangements.

About this guide

This guide covers Maharashtra law, the central laws listed in section 4, and the High Court's orders as read on the date at the top. It does not cover other States. It will be out of date when judgment is given.

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