

**GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS AND FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS**

RAJYA SABHA
UNSTARRED QUESTION No. 652
TO BE ANSWERED ON THE 13TH DECEMBER, 2022

Guidelines for prescribing generic medicines in public hospitals

652 Prof. Manoj Kumar Jha:

Will the Minister of **Chemicals and Fertilizers** be pleased to state:

- (a) whether there is any mechanism to make pharmaceutical companies liable for forcing or bribing doctors to prescribe branded drugs;
- (b) whether Government proposes to draft a Uniform Code of pharmaceutical marketing practices which can be enforceable against pharma companies; and
- (c) whether there are safeguards for doctors who are forced to prescribe branded drugs when the generic drug is not of standard quality?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS
(SHRI BHAGWANTH KHUBA)**

(a) and (b): The Government has put in place a Uniform Code for Pharmaceutical Marketing Practices (UCPMP) for Pharmaceutical companies, which is in operation since 01.01.2015, to prevent unethical practices by the pharmaceutical companies. This code governs the conduct of pharmaceutical companies in their marketing practices, duly covering the various aspects such as medical representatives, textual and audio-visual promotional materials, samples, gifts, etc. Further, the code establishes relationship with healthcare professionals, wherein the provisions related to travel facilities, hospitality and cash or monetary grants to physicians or their families have been elaborated. The code also details the mode of operation of the code, responsibilities of the Pharmaceutical Associations in constituting the Ethics Committee for Pharmaceutical Marketing Practices (ECPMP) for handling the complaints and Apex Ethics Committee for Pharmaceutical Marketing Practices (AECPMP) for review, procedure of lodging a complaint, procedure of handling of complaints by the Pharmaceutical Associations and various penalty provisions.

The code has been adopted by the all the major associations of pharmaceutical companies and the Department on various instances has reviewed implementation of the code by the Pharmaceuticals associations. The complaints of violation of the voluntary UCPMP by pharma companies, as received by the Department, are forwarded to the concerned pharmaceutical associations for taking necessary action.

(c): The Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 formed under Indian Medical Council Act, 1956 (102 of 1956), provides for conduct for doctors and professional association of doctors in their relationship with pharmaceutical and allied health sector industry. Under this, any complaint of professional misconduct of a medical practitioner or professional is to be addressed by the respective State Medical Councils.
