

GOVERNMENT OF INDIA

MINISTRY OF AYUSH

RAJYA SABHA

UNSTARRED QUESTION NO. 329

TO BE ANSWERED ON 06th February, 2024

“Misleading advertisements by AYUSH product manufacturers”

329. SHRI JAYANT CHAUDHARY:

Will the Minister of AYUSH be pleased to state:

- (a) whether there has been an increase in number of false advertisements by Ayush manufacturers after omission of Rule 170 from Drugs and Cosmetic Rules (2018) last year;
- (b) if so, the details thereof, including the number of complaints received about such misleading representations by the ASCI and GAMA portal during the last five years;
- (c) the details of ASCI standards on misleading claims regarding AYUSH products;
- (d) whether Government plans to tackle this menace and stick to standards issued by ASCI, including re-introduction of Rule 170;
- (e) if so, the details thereof including initiatives to tackle this and guidelines issued to States; and
- (f) if not, the reasons therefor?

ANSWER

THE MINISTER OF AYUSH

(SHRI SARBANANDA SONOWAL)

(a) & (b) No Sir. There is no significant increase in number of false advertisements by Ayush manufacturers after omission of Rule 170 of Drugs and Cosmetic Rules, 1945. The details of misleading advertisement in the last year is as below:

Year	Misleading Advertisements
2022	7367
2023	7771

In 2017, Ministry of Ayush had signed a Memorandum of Understanding (MoU) with Advertising Standards Council of India (ASCI) for two years to monitoring advertisements of Ayurveda, Siddha, Unani, and Homeopathy (ASU & H) products in print and TV media. During the period of April 2019 to March 2022, ASCI received 948 advertisement specific to herbal medicines/products.

As per the information available on the Grievances against Misleading Advertisements (GAMA) Portal (<https://gama.gov.in/Secure/ShowComplaints.aspx>), year-wise details of complaints about misleading advertisements during the last five years are as follows:

Year	Misleading Advertisements
2018	431
2019	320
2020	347
2021	3
2022	2

(c) No information regarding the details of ASCI standards on misleading claims regarding Ayush products is available in Ministry of Ayush.

(d) to (f) Government of India has taken following initiatives to tackle misleading advertisement of Ayush drugs -

- i. Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 and Rules thereunder encompass the provisions for prohibition of misleading

advertisements and exaggerated claims of drugs and medicinal substances including Ayush medicines, which appear in the print and electronic media and Government has taken note thereof. State/UT Governments are empowered to enforce the provisions of Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954 & Rules thereunder.

- ii. Pharmacovigilance Centres for Ayurveda, Siddha, Unani and Homoeopathy (ASU&H) Drugs set up in different parts of the country under the Central Sector 'Ayush Oushadhi Gunvatta Evam Utpadan Samvardhan Yojana Scheme' (AOGUSY Scheme) of Ministry of Ayush, are mandated to monitor and report the misleading advertisements to the respective State Regulatory Authorities. A three tier structure comprising of a National Pharmacovigilance Co-ordination Centre (NPvCC), Intermediary Pharmacovigilance Centres (IPvCs) and Peripheral PharmacovigilanceCentres (PPvCs) is established. All India Institute of Ayurveda (AIIA), New Delhi under Ministry of Ayush is the National Pharmacovigilance Co-ordination Centre (NPvCC) for the implementation of the National Pharmacovigilance program for Ayurveda, Siddha, Unani & Homoeopathy drugs.
- iii. The Department of Consumer Affairs (DoCA) maintains the Grievances Against Misleading Advertisements (GAMA) portal, providing a platform to address instances of misleading advertisements. Further, as the regulations and enforcement for TV Channels falls under the mandate of Ministry of Information and Broadcasting (MOIB), therefore references of misleading advertisement getting broadcasted on TV channels are forwarded to MOIB for action.
- iv. As an effective mechanism is in place to address misleading advertisement of Ayush products, no proposal is under consideration for re-introduction of Rule 170 of the Drugs & Cosmetics Rules, 1945.
