

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

RAJYA SABHA  
UNSTARRED QUESTION No. 2414  
TO BE ANSWERED ON THE 17<sup>TH</sup> DECEMBER, 2024

**Prevention of consumption of over the counter drugs**

**2414 Smt. Kiran Choudhry:**

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

- (a) the policy measures undertaken to prevent consumption of over the counter drugs (OTC) in the country, especially in Haryana;
- (b) whether there is any provision for penal action against a shop owner for selling drugs without a doctor's prescription;
- (c) if so, the details thereof; and
- (d) the awareness programmes organized by Government to check abuse of OTC drugs?

**ANSWER**

**THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS & FERTILIZERS  
(SMT. ANUPRIYA PATEL)**

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(a) to (d): Under the Drugs and Cosmetics Act 1940 and rules thereunder the license for sale and distribution of drugs is granted by the State Licensing Authority appointed by the respective State Government. Licensee is required to comply with all the conditions of license. State Licensing Authorities are empowered to take action on violation of any conditions of such licenses.

One of the conditions of license is that no person can sale by retail the Schedule H, H1 and X drugs without prescription of Registered Medical Practitioner (RMP). Selling a prescription drug by retail without a prescription of RMP is a punishable offence covered under section 27 clause (d) of Drugs and Cosmetics Act, 1940.

The State Drugs Controllers/other stakeholders have been sensitized by CDSCO from time to time in this regard. Various Notices/Advisories/Letters have been issued to all State Drugs Controllers, other stakeholders for strict compliance of the requirements of the Drugs and Cosmetics Act and Rules made there under.

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