

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO.†3874
TO BE ANSWERED ON 25th MARCH, 2022**

MISLEADING ADVERTISEMENT BY PHARMA COMPANIES

†3874: SHRI NIHAL CHAND:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Government has taken into cognizance the misleading advertisements of pharmaceutical companies on television, if so, the details thereof;
- (b) the norms formulated by the Government for the drug sellers in relation to the sale of medicines;
- (c) the measures taken by the Government for ensuring compliance of the above norms by the drug sellers;
- (d) whether the Government has received complaints against the drug sellers in this regard; and
- (e) if so, the details thereof along with the action taken thereon?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)**

(a) to (e): Advertisements concerning drugs are regulated under the provision of Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, which is administered by the State Governments. The Drugs & Cosmetics Rules, 1945 were amended in 2015 and a provision was made to the effect that no advertisement of drugs specified in Schedule H, Schedule H1 and Schedule X (i.e. Prescription drugs) shall be made except with the previous sanction of the Central Government. State Licensing Authorities are empowered to take action in case of non-compliance.

Ministry of Information & Broadcasting, on the basis of information provided by Ministry of AYUSH, in order to protect the citizens from misleading advertisement and health risk, issued an advisory on 12.07.2017 in which all TV channels were advised to

advertise only products that have valid licence issued by Ministry of AYUSH or State Drug Licensing Authorities.

The sale and distribution of drugs in the country are regulated by the State Licensing Authority (SLAs) through a system of inspection and licensing under the provisions of the Drugs and Cosmetics Act, 1940 and Drugs and Cosmetics Rules, 1945. The said Rules prescribe conditions to be satisfied before grant of licence for sale of drugs. These include adequacy of the premises, proper storage facilities for preserving the properties of drug, requirement of competent person to supervise and control the sale of drugs, etc. SLAs are legally empowered to take action in case violation of the condition of license.
