

**GOVERNMENT OF INDIA
MINISTRY OF AYUSH**

**LOK SABHA
UNSTARRED QUESTION NO. 3076
TO BE ANSWERED ON 09th August 2024**

“Misleading AYUSH Advertisements”

3076. Shri Kota Srinivasa Poojary

Will the Minister of **AYUSH** be pleased to state:

- (a) the number of complaints received against misleading claims made about any herbal and AYUSH product in advertisements given in any electronic/ print media in the last three years, year-wise;
- (b) whether complaints have been received against sale of these herbal and AYUSH products in the market without any authentic clinical trial and if so, the details thereof;
- (c) whether the Government has issued directives to the states for appointing Gazetted Officers to monitor advertisements of such medicines, in order to check their veracity regarding AYUSH products and if so, the details thereof; and
- (d) the extent to which the Government has succeeded in checking these advertisements and misleading claims in the country?

ANSWER

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF AYUSH
(SHRI PRATAP RAO JADHAV)**

(a) Ministry of Ayush has formulated a Central Sector Scheme-Ayush Oushadhi Gunvatta evam Utpadan Samvardhan Yojana (AOGUSY) in the year 2021. One of the components of this scheme is Pharmacovigilance Program for Ayurveda, Siddha, Unani & Homoeopathy Drugs (ASU & H Drugs). The program is working through a three-tier network of a National Pharmacovigilance Centre (NPvCC), Five Intermediary Pharmacovigilance Centres (IPvCs) and 99 Peripheral Pharmacovigilance Centres (PPvCs) established across the country. Through this channel of Pharmacovigilance centers objectionable/misleading advertisements are regularly

reported to the respective State Licensing Authorities for contravening regulations under different rules like Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, the cable television network (Regulation) Act 1995, the consumer protection Act, the Emblems and Names (Prevention of Improper Use) Act, 1950, The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992, the Young Persons (Harmful Publications) Act, 1956 etc., for initiating action against the defaulters. Also, as per National Commission for Indian System of Medicine Regulations 2022 and National Commission for Homoeopathy regulations 2022, Pharmacovigilance is a mandate component for all the Ayush system of medicine.

Under the Pharmacovigilance program till date a total of 38539 misleading advertisements related to Ayush drugs has been reported, details are attached at **Annexure I**.

(b) As per the information received from various State/UTs government, no such complaint against has been received against sale of Ayush products in the market without any authentic clinical trial.

(c) Under section 8 (1) of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, any Gazetted Officer authorized by the State Government may, within the local limits of the area for which he is so authorized, to enter, search any premises or examine or seize any record which contravenes any provisions of the Act.

Ministry of Ayush has also requested State Drug Licensing Authorities and State Drug Controllers to take corrective measures for preventing inappropriate advertisement in electronic and print media including newspapers and initiate action as per the section 8 (1) of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954.

(d) The details of the extent to which Government has succeeded in checking these advertisements and misleading claims in the country-

i. Provision of surveillance of ASU&H drugs misleading advertisements has been kept in a Central Sector Scheme Ayush Oushadhi Gunavatta evam Utpadan Samvardhan Yojana (AOGUSY), for safety monitoring of Ayurvedic, Siddha, Unani and Homeopathy drugs under the pharmacovigilance components. 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.

- ii. Under the Pharmacovigilance Program for ASU & H Drugs component of Ayush Oushadhi Gunvatta evam Utpadan Samvardhan Yojana (AOGUSY) scheme, till date a total of 38539 misleading advertisements related to Ayush drugs has been reported to respective state licensing authorities for proper action against the defaulters.
- 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. Till date approximately 358 brands of Ayush system have been issued the notice for exploiting various regulations. Also, the Press Council of India (PCI) is regularly taking action against the defaulter. The action taken from 2018 upto July 2024 against misleading advertisements for treatment and drugs are available in **Annexure-II**.

Annexure-I

Details of misleading advertisements related to Ayush drugs noticed by Pharmacovigilance and reported to the SLAs in last three years are as follows:

Year	Misleading Advertisements
2021	8144 + 43 (COVID)
2022	7367 + 4 (COVID)
2023	7771
2024	4372

State wise total Action Taken by SLA Upto July 2024

S. No.	STATE	TOTAL SLA ACTION TAKEN
1	Karnataka	94
2	Madhya Pradesh	27
3	Rajasthan	206
4	Tamil Nadu	31
5	Uttarakhand	15
6	West Bengal	5
Total		378
