

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

LOK SABHA  
UNSTARRED QUESTION No. 3322  
TO BE ANSWERED ON THE 08<sup>TH</sup> AUGUST 2025

**Regularisation of Pharmaceutical Companies**

**3322. Shri Bapi Haldar:**

Will the Minister of **CHEMICALS AND FERTILIZERS** be pleased to state:

- (a) whether the Government is aware of the fact that pharmaceutical companies are continuing to offer gifts and incentives to medical professionals to promote their products;
- (b) if so, whether such practices are in violation of the Uniform Code of Pharmaceutical Marketing Practices (UCPMP), if so, the number of complaints/violations reported during the last five years and the action taken therein;
- (c) whether the Government plans to conduct a review of the efficacy of UCPMP, if so, the details thereof;
- (d) whether there is any proposal to make the code legally binding with enforcement provisions, if so, the details thereof;
- (e) whether there is any regulatory mechanism put in place to ensure full disclosure and transparency in doctor-pharma financial relationships, including through mandatory reporting of such transactions, if so, the details thereof; and
- (f) the steps being taken by the Government to protect public health interests, ensure prescription integrity and restore trust in the healthcare system by curbing unethical marketing practices?

**ANSWER**

**THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS**

**(SMT. ANUPRIYA PATEL)**

(a) to (d): Under the provisions of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, advertising of any drug for diagnosis, cure, mitigation, treatment or prevention of any disease, disorder or condition specified in the Schedule to the said Act is barred. The said Schedule covers most of the prevalent diseases, disorders and conditions and, therefore, pharmaceutical companies are required to rely on doctors to promote their products.

The legal regime to counter, control and disincentivise unethical marketing practices of pharmaceutical companies that offer gifts and incentives to doctors includes the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 ("IMC Regulations, 2002") made under the Indian Medical Council Act, 1956 and section 37 of the Income-tax Act, 1961. Under the IMC Regulations, 2002, a doctor is prohibited from receiving any gift or cash or monetary grants from any pharmaceutical or allied health care industry. Further, a doctor and his/her family member are prohibited from accepting incentives in form of travel facilities and hospitality from pharmaceutical or allied healthcare industry. Penalties under the said regulations include censure, removal from the Indian Medical Register or the State Medical Register of a doctor for a period of three

months, six months, one year or more than a year, depending on the value of cash, gift, travel or hospitality received in contravention of these regulations.

Under section 37 of the Income-tax Act, 1961, any expenditure to provide benefits to a doctor that contravenes the IMC Regulations, 2002 is not an allowable expenditure. Consequently, pharmaceutical companies cannot claim an income tax deduction for gifts and incentives to doctors.

Further, with the aim of preventing unethical marketing and ensuring responsible promotion of pharmaceutical products by regulating interactions between doctors and representatives of pharmaceutical companies, the Department of Pharmaceuticals initially issued the Uniform Code of Pharmaceuticals Marketing Practices (UCPMP), 2015, effective from 1.1.2015.

Following review and examination of pharmaceutical marketing practices and alignment of interventions for effective implementation among healthcare providers and industry by a High-Level Committee constituted by the Government, and detailed consultations with stakeholders and analysis of domestic and international practices, based on the committee's recommendations, the Government has recently replaced the earlier UCPMP with UCPMP, 2024. The said committee, while examining the matter, also observed that UCPMP may not be made statutory, as there already exists a statutory framework, namely, IMC Regulations, 2002.

UCPMP, 2024 explicitly prohibits the offering of gifts and incentives such as monetary grants, travel facilities and hospitality to doctors or their family members. The prohibitions are backed by penalties, which may include recovery of money or items from the persons concerned, reprimand for the pharmaceutical entity and the publication of full details thereof.

During the last five years, a total of seven complaints were received under UCPMP, 2015 and UCPMP, 2024, which were disposed of in accordance with the provisions of UCPMP. In these cases, a company was reprimanded in one case for offering incentives like travel and hospitality to doctors and details were published on the website of the Department of Pharmaceuticals.

(e): UCPMP, 2024, requires pharmaceutical companies to disclose their expenditures on continuing medical education / continuing professional development events and the value of free samples given to doctors. Under the IMC Regulations, 2002, doctors are required to disclose the source and amount of funding they receive from the pharmaceutical and allied health sector for research and study. Doctors are also required to disclose their affiliations with pharmaceutical and allied healthcare industries, if they work in any professional capacity, such as an advisor, a consultant, a researcher or a treating doctor.

(f): The Government is promoting rational prescription of drugs and curbing unethical marketing practices through the framework of the IMC Regulations, 2002, the Income-tax Act, 1961 and UCPMP, 2024. These are intended to protect public health interests, ensure prescription integrity and restore trust in the healthcare system. Further, prescription integrity of drugs is also ensured through sub-rule (11A) of rule 65 of the Drug Rules, 1945, which provides that a pharmacist or any other person dispensing a prescription containing drugs specified in Schedule H and H1 or Schedule X of the said rules cannot substitute the prescribed drug with any other preparation.

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