

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

**LOK SABHA
UNSTARRED QUESTION NO. 1044
TO BE ANSWERED ON 24TH JULY, 2026**

SALE OF PRESCRIPTION DRUGS

1044. SHRI ATUL GARG:

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

- (a) whether the Government has formulated comprehensive guidelines to regulate the online sale of prescription drugs to prevent unauthorised distribution by unlicensed platforms or the sale of such drug without valid medical prescriptions, if so, the details thereof;
- (b) the details of the monitoring mechanisms currently implemented to ensure that all digital pharmacy platforms strictly adhere to the pharmacy licensing requirements stipulated under the Drugs and Cosmetics Act;
- (c) whether the Government has taken cognizance of consumer concerns regarding significant price disparities and predatory pricing models adopted by online platforms compared with brick-and-mortar retail pharmacies, if so, the details thereof;
- (d) the number of complaints received regarding the sale of scheduled drugs without valid prescriptions and the enforcement actions taken by the Government against defaulting digital platforms during the financial year 2025-26; and
- (e) the details of the future policy roadmap planned to formalise and notify specific e-pharmacy rules to protect public health while maintaining fair market competition for local retail pharmacy owners?

**ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(SHRI JAGAT PRAKASH NADDA)**

(a) to (e): In order to regulate the online sale of medicines/e-pharmacy comprehensively, the Government of India has published draft rules vide G.S.R. 817 (E) dated 28th August, 2018, inviting comments from the public to amend the Rules for incorporating provisions relating to the regulation of sale and distribution of drugs through e-pharmacy.

The draft rules contain provisions for registration of e-pharmacy, periodic inspection of e-pharmacy, procedure for distribution or sale of drugs through e-pharmacy, prohibition of

advertisement of drugs through e-pharmacy, complaint redressal mechanism, monitoring of e-pharmacy, etc.

As informed by the Competition Commission of India (CCI), Section 3 of the Competition Act, 2002 prohibits agreements, including those involving online platforms, that cause or are likely to cause an appreciable adverse effect on competition in India while Section 4 of the Competition Act, 2002 prohibits the abuse of dominant position. Upon finding any contravention after inquiry, the CCI issues appropriate remedial orders, including cease-and-desist directions, modification of agreements, monetary penalties and other measures under the Act.

Under the Drugs and Cosmetics Act, 1940, and Rules thereunder, the license for Sale and Distribution of drugs are granted by the State Licensing Authority appointed by the 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. As per the conditions of license, sales of Drugs shall be effected only by or under the personal supervision of a registered pharmacist and no person can sale by retail the Schedule H, H1 and X drugs without prescription of Registered Medical Practitioner (RMP).

As and when complaints regarding sale of drugs by e-pharmacies without proper prescription etc. are received, based on the merit, the matter is referred to the concerned State Licensing Authority for taking action as per the provisions of Drugs & Cosmetics Act, 1940 and Rules, 1945, as the State Licensing Authorities are empowered to take action in case of any violation of the conditions of sale licenses.
