

**GOVERNMENT OF INDIA  
HEALTH AND FAMILY WELFARE  
LOK SABHA**

UNSTARRED QUESTION NO:2082

ANSWERED ON:14.03.2007

INDIAN SYSTEM OF MEDICINES

Adhalrao Patil Shri Shivaji;Rajendran Shri P.;Sugavanam Shri E.G.;Sujatha Smt. C.S.;Verma Shri Ravi Prakash;Yadav Shri Baleshwar

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

- (a) whether there are advertisements appearing in the media claiming to cure diseases like cancer, HIV/ AIDS by individuals/ companies;
- (b) if so, the details thereof and the action taken by the Government against them;
- (c) whether the Governemnt has decided to amend Drugs and Magical Remedies (Objectionable Advertisement) Act, 1954 and ban all advertisements of claims to treat incurable or complicated health ailments;
- (d) if so, the details thereof alongwith the reasons therefore;
- (e) whether the Government has set up a Committee to suggest amendment in the Act;
- (f) if so, the suggestion made by the said Committee; and
- (g) the time by which the final decision is likely to be taken in this regard?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a)&(b) : Advertisements claiming cure from disease like Cancer, HIV/ AIDS some times appear in media. The advertisements usually claim cure by individuals. The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 at present does not apply to clinics or any claims made by medical practitioners about the treatment of diseases or consultation offered for treatment. The provisions under the said Act at present under review to make it more responsive and to exercise effective control over advertisement related to medical products.

(c) Yes, Sir.

(d) to (f) : In order to review the existing provision and suggest suitable amendments to the Act to meet the present day needs, a committee was set up under the Chairmanship of Dr. Ranjit Roy Chowdhary Emeritus Scientist National Institute of Immunology (NII). The major recommendations of the committee are given below:

1. The "Treatment" may be brought within the scope of the Act so as to bring claims by medical practitioners or clinics within its ambit.
2. Definition of "Advertisement" may be amended to specifically cover advertisement through electronic media.
3. The Quantum of punishment may be enhanced to make it deterrent to the offenders.
4. The present Schedule may be deleted and a revised list of diseases, disorders and conditions, in line with " Schedule J" to the Drugs and Cosmetics Rules, 1954 to be brought under the Rules framed under DMR (OA) Act for flexibility of revision of the list.

(g) The final decision has been taken and the A Draft Bill for the amendment of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 would be introduced in the Parliament with the approval of the Cabinet.