



प्रणालीभारतः प्राणायतनानाम्

भारतीय चिकित्सा पद्धति राष्ट्रीय आयोग
आयुष मंत्रालय, भारत सरकार
कार्यालय: 61-65, संस्थानिक क्षेत्र, जानकपुरी, डी ब्लॉक नई दिल्ली - 110058
National Commission for Indian System of Medicine
Ministry of AYUSH, Govt. of India

OFFICE: 61-65, INSTITUTIONAL AREA, JANAKPURI, D-BLOCK NEW DELHI-110058

दूरभाष / Phone
सभापति / Chairman: 28525156
सचिव / Secretary: 28525847
कार्यालय / Office: 28525464
पंजीयन / Registration: 28522519
फैक्स / Fax: 28520878
www.ncismindia.org
secretary@ncismindia.org

F. No: 20-28/2022-Regn (AY. Ministry)

Dated: 19.09.2022

✓ To,
Principal Secretary,
All States / UT

Sub: Issuing directions to all registered Ayush practitioners to clearly mention duration of intake of formulations containing schedule E (1) drugs under rule 161 (2) of Drugs and Cosmetics Rules 1945- reg.

Ref: Ministry of Ayush letter no T-11011/8/2021-DCC- Part (2) dated 17.08.2022

Sir,

With reference to the subject cited above, it is to inform you that Ministry of Ayush has forwarded above mentioned letter to issue directions to all registered Ayurveda/ Siddha/ Unani (ASU) practitioners to clearly mention duration of intake of formulations containing Schedule E (1) drugs under rule 161 (2) of the Drugs and Cosmetics Rules, 1945 and other directions specified regarding Schedule E (1) drugs.

Therefore, guidelines for registered Ayurveda/ Siddha/ Unani (ASU) practitioners are being forwarded to you as Annexure-I and Central Consumer Protection Authority's advisory dated 14.07.2022 along with list of schedule E (1) drugs are enclosed as Annexure-II. You are requested to circulate these guidelines to all registered ASU practitioners of your State/ UT.

19.9.2022

Prof. (Vaidya) Rakesh Sharma
President, Board of Ethics and Registration

Copy to:

1. Secretary, Ministry of Ayush, Govt of India, Ayush Bhawan, B- Block, GPO Complex, INA, New Delhi-110023
2. Chairperson, National Commission for Indian System of Medicine, New Delhi-110058
3. MD NHM/Director ISM, All State/UT [For information and necessary action]
4. Secretary, National Commission for Indian System of Medicine, New Delhi-110058.
5. Registrar, All State / UT [To circulate these guidelines to all registered ASU practitioners of your State/ UT by publishing guidelines on your official website/ sending guidelines through email/ or other]
6. Guard File.

Prof. (Vaidya) Rakesh Sharma
President, Board of Ethics and Registration

Annexure-I

Points of consideration regarding advisory received on Consumer Protection Act, 2019 concerning sale of Ayurvedic, Siddha & Unani drugs containing ingredients listed in schedule E (1) of the Drug & Cosmetics Rules, 1945 on e-commerce platforms.

1. It should be mandatory that the prescription form a registered medical practitioners should be uploaded before placing order on medical order on online e-commerce site containing valid registration number of medical practitioner and validity date of registration on prescription.
2. E-Commerce website should add a clause to upload the list of products containing schedule E (1) drugs manufactured by registering Ayurvedic, Sidhha & Unani company to get registered with site.
3. To control this kind of sales online there should be whole sale license for wholesaler/ distributor and retail sale license for retailer be implemented and e-commerce websites should ask to upload valid licenses from supplier before getting registered on site. If a wholesaler / retailer who is not manufacturer of that product should have valid license of wholesale & retail to become seller of medicine on site.
4. Also for offline mode of selling any kind of Ayurvedic, Siddha & Unani Medicine the departments in states should issue licenses for wholesale & retail to control the unauthorized sale of A,S&U medicines all over India. Because it has been seen many times that A,S&U medicines are being sold by Pansaris, by so called Babas on road side tents or by any kind of shop keeps who is selling clothes or confectioneries which needs to be controlled.
5. All registered Ayush Practitioners must mention duration of intake of formulations containing schedule E (1) drugs under rule 161 (2) of the Drugs and Cosmetics Rules, 1945, in their medical prescription.
6. If medicines are made up of a substance specified in Schedule E (1), should be labelled conspicuously with the words, "Caution", "To be taken under medical supervision" both in English and Hindi languages.

F. No. J-25/64/2022-CCPA
Central Consumer Protection Authority

Krishi Bhawan, New Delhi

Dated: 14th July, 2022

Subject: Advisory in terms of Consumer Protection Act, 2019 concerning sale of Ayurvedic, Siddha and Unani drugs containing ingredients listed in Schedule E (1) of the Drugs and Cosmetics Rules, 1945 on e-commerce platforms.

This invites reference to public notice dated 01.02.2016 issued by the Ministry of AYUSH informing stakeholders that purchase of Ayurvedic, Siddha and Unani drugs containing any of the ingredients of plant, animal or mineral origin as listed in Schedule E(1) of the Drugs and Cosmetics Rules, 1945 are required to be taken under medical supervision and purchasing the same online should be avoided without medical consultation.

2. Now, it has come to the notice of the Central Consumer Protection Authority (CCPA) that the aforementioned category of drugs are being offered for sale on e-commerce platforms without any mechanism to verify if such drugs are being purchased by a user under medical supervision or not. As a result, the drugs consumed without medical supervision may lead to severe health complications.

3. It may be mentioned that as per Rule 161(2) of the Drugs and Cosmetics Rules, 1945, the container of a medicine for internal use for the treatment of human ailments shall, if it is made up from a substance specified in Schedule E(1), be labelled conspicuously with the words "Caution: To be taken under medical supervision" both in English and Hindi language. The list of poisonous substances under the Ayurvedic (including Siddha) and Unani Systems of Medicine as mentioned in Schedule E(1) is annexed herewith.

4. In view of the above, all e-commerce platforms are hereby advised that selling or facilitating the sale of Ayurvedic, Siddha and Unani drugs containing ingredients as listed in Schedule E (1) of the Drugs and Cosmetics Rules, 1945 shall be done only after a valid prescription of registered medical practitioner is uploaded by the user or patient on the platform.

5. The Central Authority may initiate necessary action under the provisions of the Consumer Protection Act, 2019 if, after investigation, it is found that the said drugs are offered for sale by any e-commerce platform in violation to the legal framework governing sale of such drugs to consumers.


14.7.2022
Nidhi Khare
Chief Commissioner

Copy to:

1. Secretary, Ministry of AYUSH
2. Chief Secretaries of all States/U.Ts
3. All District Collectors
4. Major e-commerce entities
5. Industry Associations
6. Consumer Organizations
7. Law Chairs
8. E-Pharmacy platforms

SCHEDULE E(1)

List of poisonous substances under the Ayurvedic (Including Siddha) and Unani Systems of Medicine

A. AYURVEDIC SYSTEM

I Drugs of vegetable origin

1. Ahipena (Except seeds)	Papaver somniferum Linn.
2. Arka	Calotropis procera (Ait.) R.Br. ex.
3. Bhallataka	Semecarpus anacardium Linn. F.
4. Bhang (Except seeds)	Cannabis sativa Linn. (Except seeds)
5. Danti	Baliospermum montanum Mull. Arg.
6. Dhatura	Datura metel Linn.
7. Gunja (seed)	Abrus precatorium Linn. (seed)
8. Jaipala (seed)	Croton tiglium Linn.
9. Karaveera	Rerium indicum Mill.
10. Langali	Gloriosa superba Linn.
11. Parasika Yavani	Hyoscyamus niger Linn.
12. Vatsanabha	Acontium chasmanthum Stapf ex Holm
Vishamushti	Strychnox nuxvomica Linn.
13. Shringivisha	Acontium chasmanthum Stapf ex Holm.

II Drugs of Animal Origin.

14. Sarpa Visha	Snake poison.
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III Drugs of Mineral Origin

15. Gauripashana	Arsenic.
16. Hartala	Arseno sulphide.
17. Manahashila	Arseno sulphide.

18. Parada
19. Rasa Karpura
20. Tuttha
21. Hingula

Mercury.
Hydrargyri subchloridum.
Copper sulphate.
Cinnabar.

B. SIDDHA SYSTEM

1. Abini
2. Alari
3. Attru thummatti
4. Umathai
5. Etti
6. Ganja (except seed)
7. Kalappaki Kizahangu
8. Kodikkalli (exempted for external use)
9. Kattu Thumatti
- 10 Kunri (except root)
11. Cheramkottai
12. Thillai
13. Nabi
14. Nervalam
15. Pugaialai
16. Mancevikkalli

Papaver somniferum Linn.
Nerium indicum Mill.
Citrullus colocynthis (L.) Schrad
Datura stramonium Linn.
Stychnos nux vomica Linn.
Cannabis sativa Linn.
Glorisa superba Linn.
Euphorbia tirucalli Linn.
Cucumis trigonus Roxb.
Arbus precatorius Linn.
Semecarpus anacardium Linn f.
Exoecoria agallocha Linn.
Aconitum ferox Wall.
Croton tiglium Linn.
Nicotiana tabacum Linn.
Euphorbia species

C. UNANI SYSTEM

Drugs of vegetable origin

1. Afiyun (except seed)
2. Bazrul-banj
3. Bish
4. Bhang

Papaver somniferum Linn.
Hyoscyamus niger Linn.
Aconitum chasmanthum Strapfex Holmes.
Cannabis sativa Linn.

5. Charas

Canabis sativa Linn.

6. Dhatura seeds

Datura metel Linn (seeds).

7. Kuchla

Strychnos nuxvomica Linn.

8. Shokran

Conium maculatum Linn.

II Drugs of Animal origin

9. Sanp (head)

Snake (head).

10. Telni makkhi

Myiabras cichori Linn.

Myiabras pustulata Thund.

Myiabras macilenta .

III Drugs of Mineral origin

1. Darchikna

Hydrargryi perchloridum.

2. Hira

Diamond.

3. Ras Kapoor

Hydrargryi Subchloridum (calomel).

4. Shingruf

Hydrargryi bisulphuratum.

5. Zangar

Cupri subacetate.

6. Sammul-Far

(Abyaz, Asfar, Aswad and Ahmar)
(white, yellow, black and red, Arsenic).

7. Tootiya

Copper Sulphate

8. Para

Hydrargyrum.

9. Hartal

Arsenic trisulphide (yellow).]