

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

STARRED QUESTION NO:165  
ANSWERED ON:08.03.2013  
ILLEGAL SPURIOUS SUBSTANDARD DRUGS  
Gandhi Smt. Maneka Sanjay;Patle Kamla Devi

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

- (a) whether the existing laws and manpower are adequate to curb manufacturing and marketing of illegal, spurious and substandard drugs in the country;
- (b) if so, the details thereof and if not, the reasons therefor;
- (c) the steps taken/proposed by the Government to strengthen them;
- (d) the number of drug testing laboratories at present and the steps taken/proposed by the Government to open new drug testing laboratories and modernise the existing laboratories across the country, State/UT-wise; and
- (e) the other steps taken/proposed by the Government to check marketing of illegal/ spurious/substandard/expired drugs through internet pharmacies and courier services in the country?

**Answer**

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABIAZAD)

(a)to(e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO.165 FOR 8TH MARCH, 2013

The provisions of the Drugs and Cosmetics Act, 1940, and the Drugs and Cosmetics Rules, 1945, made thereunder are adequate to regulate the quality of drugs and to curb the manufacture and marketing of illegal, spurious and substandard drugs in the country.

As far as the manpower and the infrastructure are concerned, there is a need to further strengthen the manpower as well as infrastructure of the Central Drugs Standards Control Organization, State Drugs Control Departments and the drugs testing laboratories of the Central and State / UT Governments.

Presently, there are eight Central Drugs Testing Laboratories and thirty-one Drugs Testing Laboratories of State / UT Governments. State/UT wise details of these laboratories are annexed.

The Central Government has taken the following steps to check the problem of illegal/ spurious / sub-standard drugs:

# The Drugs and Cosmetics Act, 1940 was amended in 2008 to provide more stringent penalties for manufacture and trade of spurious and adulterated drugs. Certain offences have also been made cognizable and non-bailable.

# Provisions for setting up of special designated courts for speedy disposal of cases related to spurious and adulterated drugs have been made. 14 States/UTs have already set up these special Courts.

# Guidelines for taking action on spurious, adulterated and not-of-standard quality drugs were forwarded to the State Drugs Controllers for uniform and effective implementation.

# A Whistle Blower Scheme has been initiated by the Government to encourage vigilant public participation in the detection of movement of spurious drugs.

# 216 additional posts have been created in CDSCO since 2008.

# Two Sub-zones of CDSCO (Hyderabad and Ahmedabad) have been upgraded to full zones.

# Three new sub-zones (Bangalore, Chandigarh and Jammu) have been created.

# Regular overseas Inspections of manufacturing facilities situated abroad have been started to ensure the quality of imported drugs

# The State Governments have also been requested to strengthen their manpower and infrastructure.

# Further, during the 12th Five Year Plan, Government has initiated a new scheme for providing financial assistance to the States / UTs for strengthening of State Drug Control Departments. Separate budget head has been created in this regard.

The present provisions of the Drugs and Cosmetics Act, 1940 are adequate to deal with the marketing of drugs through internet pharmacies. Any manufacturer or trader within the country engaged in marketing of drugs through internet has to abide by the provisions of the Drugs and Cosmetics Act, 1940 and Rules. As regards the marketing of drugs through internet from manufacturers or traders situated abroad, such consignments are required to pass the mandatory scrutiny at airports / sea-ports for compliance to the provisions of law.