

Supreme Court Criticized States Over Illegal Ayurvedic Ads

Why in News?

The Supreme Court criticized several states such as **Jammu & Kashmir**, **Andhra Pradesh** and the **Union Territory of Delhi** for their failure to act against **illegal advertisements** promoting **Ayurvedic**, **Siddha**, and **Unani drugs**.

Chief secretaries of non-compliant states have been ordered to appear before the court via video conferencing to justify their inaction.

Key Points

- Senior advocate acting as <u>amicus curiae</u>, pointed out that states were letting violators off with apologies and undertakings instead of taking stricter actions.
- The court emphasized the need for states to enforce <u>Rule 170 of the Drugs and Cosmetics</u>
 <u>Rules, 1945</u>, to curb illegal advertisements effectively.
 - Jammu & Kashmir along with Andhra Pradesh, Delhi, Goa, and Gujarat have been directed to file affidavits regarding their enforcement of Rule 170 by the end of February 2025.
 - Rule 170 deals with the power to take action against objectionable or misleading advertisements about Ayurvedic, Siddha, and Unani drugs.
- Background of the Issue:
 - In August 2024, the Supreme Court stayed a notification by the Ministry of Ayush that omitted Rule 170, calling it contradictory to its 7 May, 2024, order.
 - The apex court on 7 May, 2024 directed that before an advertisement was permitted to be issued, a **self-declaration** should be obtained from the advertisers on the line of the <u>Cable Television Networks Rules</u>, 1994.
 - The Ministry of Ayush had earlier issued a letter in August 2023 advising states not to take action against violators, citing procedural delays in finalizing a gazette notification.
 - The case stems from a 2022 petition by the <u>Indian Medical Association</u>, which alleged that **Patanjali** had <u>launched</u> a misinformation campaign against <u>Covid vaccines</u> and modern medicine.

Indian Medical Association (IMA)

- Indian Medical Association is the only representative, national voluntary organisation of Doctors of Modern Scientific System of Medicine, which looks after the interest of doctors as well as the well being of the community at large.
- IMA is a founding member of World Medical Association.

AYUSH Systems of Medicine

Lord Brahma is believed to

be the f

proponent of

Ayurveda

AYUSH encompasses Ayurveda, Yoga & Naturopathy, Unani, Siddha, Sowa Rigpa, and Homeopathy, with Ayurveda having a documented history of 5000+ years.

Ayurveda

Samhita Period (1000 BC):
Emerged as mature medical system

Charaka Samhita: Oldest and most authoritative text

 Sushruta Samhita: Gives fundamental principles and therapeutic methods in eight specialties

- (9) Main Schools:
 - Punarvasu Atreya School of physicians
 - Divodasa Dhanvantari School of surgeons

Branches of Ayurveda:

- Kayachikitsa (internal medicine)
- Shalya Tantra (surgery)
- Shalakya Tantra (disease of supraclavicular origin)
- Kaumarabhritya (paediatrics)

Agada Tantra (toxicology)

- Bhootavidya (psychiatry)
- Rasayana Tantra (rejuvenation and geriatrics)
- Vajikarana (eugenics & science of aphrodisiac)

propounded

by Maharishi

Pataniali in

systematic form

Yoasutra

Unani

Pioneered in Greece, developed by Arabs as 7 principles (Umoor-e-Tabbiya)

- Based on the framework of teachings of Buqrat (Hippocrates) and Jalinoos (Galen)
 - Hippocratic theory of four humors viz. blood, phlegm, yellow bile, and black bile
- Recognised by WHO and granted official status by India as an alternative health system

Siddha

Dates back to 10000 – 4000 BC; Siddhar Agasthiyar - Father of Siddha Medicine

- Preventive, promotive, curative, rejuvenative, and rehabilitative health care
- 4 Components: Latro-chemistry, Medical practice, Yogic practice & Wisdom
- Diagnosis based on 3 humors (Mukkuttram) and 8 vital tests (Ennvagai Thervu)

Sowa Rigpa

Origin: Lord Buddha in India before 2500 years

- Traditional medicine in Himalayan regions of Ladakh, Himachal Pradesh, Arunachal Pradesh, etc.
- Recognised in India by Indian Medicine Central Council Act,1970 (As amended in 2010)

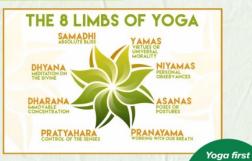
Homeopathy

German physician Dr. Christian F. S. Hahnemann codified its fundamental principles

- Medicines prepared mainly from natural substances (plant products, minerals, animal sources)
- Brought in India by European missionaries
 1810; official recognition 1948
- (9) 3 Key Principles:
 - Similia Similibus Curentur (let likes be cured by likes)
 - Single Medicine
 - (A) Minimum Dose



Yoga & Naturopathy



 Naturopathy: Healing with help of 5 natural elements - Earth, Water, Air, Fire and Ether

Based on theories of self-healing capacity of body and principles of healthy living