



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 [amicus curiae](#), 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 [Rule 170 of the Drugs and Cosmetics Rules, 1945](#), 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 [Cable Television Networks Rules, 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 [Indian Medical Association](#), which alleged that **Patanjali** had launched a misinformation campaign against [Covid vaccines](#) 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

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
- ↳ **Main Schools:**
 - ↳ **Punarvasu Atreya** - School of physicians
 - ↳ **Divodasa Dhanvantari** - School of surgeons

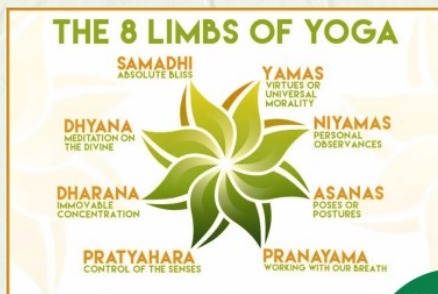
Lord Brahma is believed to be the 1st proponent of Ayurveda

Branches of Ayurveda:

- Kayachikitsa (internal medicine)
- Shalya Tantra (surgery)
- Shalakyata Tantra (disease of supra-clavicular origin)
- Kaumarabhritya (paediatrics)
- Agada Tantra (toxicology)
- Bhootavidya (psychiatry)
- Rasayana Tantra (rejuvenation and geriatrics)
- Vajikarana (eugenics & science of aphrodisiac)



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
 - ↳ Encourages a **person-centred approach** rather than disease-centred

Yoga first propounded by Maharishi Patanjali in systematic form Yogsutra

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 (**Mukkutram**) 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
- ↳ **3 Key Principles:**
 - ↳ *Similia Similibus Curentur* (let likes be cured by likes)
 - ↳ Single Medicine
 - ↳ Minimum Dose

