

THE DRUGS AND MAGIC REMEDIES (OBJECTIONABLE ADVERTISEMENTS) ACT, 1955

- An Act to control, the advertisement of drugs in certain cases, to prohibit the advertisement for certain purpose of remedies alleged to possess magic qualities and to provide for matters connected therewith.
- The Act defines drugs and registered medical practitioners besides defining magic remedy. According to Act the Magic remedy includes a talisman mantra kavacha, and any other charm of any kind which is alleged and possess miraculous powers for or in the diagnosis, cure, mitigation treatment or prevention of any disease in human beings or animals or for affecting or influencing in any way the structure or any organic function of human beings or animals.
- Unless prescribed by registered medical practitioners or after consultation with the Drugs and Cosmetics Act 1940, no person or company, shall take any part in the publication of any advertisement referring to any drug that is used for:
 - a) the miscarriage in woman,
 - b) maintenance or improvement of the capacity of human beings for sexual pleasures,
 - c) correction of menstrual disorder in women, and
 - d) the diagnosis, cure, mitigation, treatment or prevention of any disease.
- No person or company will take part in advertisement which give false impression or makes a false claim for the drug or mislead the people. Whosoever contravenes any of the provision of this Act shall be punishable with imprisonment extended to six months or with fine, or with both for first time conviction. It may extend to one year imprisonment or with fine or with both on subsequent convictions.
- The schedule for diseases specified under the Act are: appendicitis, atherosclerosis, blindness, blood poisoning, Bright's disease, cancer, cataract, deafness, diabetes, brain diseases or disorder, uterus diseases, disorder of menstrual flow, disorders of nervous system, prostatic gland disorders, dropsy, epilepsy, female disease (in general), fever (in general), Fits, Forms and structure of the female breast, gall bladder stones, kidney stones, bladder stones, gangrene, glaucoma, goitre, heart diseases, high or low blood pressure, hydrocele, hysteria, infantile paralysis, insanity, leprosy, leucoderma, lock jaw, locomotor ataxia, lupus, nervous debility, obesity, paralysis, plague, pleurisy, pneumonia, rheumatism, ruptures, sexual impotence, small pox, stature of person , sterility of wome, trachoma, TB, tumours, typhoid fever, ulcers of GI tract, venereal diseases including, AIDS.

Reference

The Drugs & Cosmetic Rules 1955 vide Gazette Notification-85 (E) dt. 6.2.02.

The Drugs and Magic Remedies (Objectionable Advertisement) Rules: 1955

The Gazette of India. The Drugs and Magic Remedies (Objectionable advertisements) Act 1954. No. 21 of 1954.