

# Online pharmacy laws in India

## E-Pharmacy Draft (28th August, 2018)

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The Union Health Ministry of India has come out with draft rules on sale of drugs by online / e-pharmacies with an aim to regulate online sale of medicines across India and provide patients access to genuine drugs from authentic online portals. The draft rules on "sale of drugs by e-pharmacy" states the following points[15]

- a. No person will distribute or sell, stock, exhibit or offer for sale of drugs through e-pharmacy portal unless registered.
- b. Any person who intends to conduct the business of e-pharmacy shall apply for the grant of registration to the Central Licensing Authority in Form 18 (AA) through the online portal of the Central Government.
- c. The application of registration of e-pharmacy will have to be accompanied by a sum of INR Rs. 50,000 while asserting that an e-pharmacy registration holder will have to comply with provisions of Information Technology Act, 2000 (21 of 2000).
- d. The details of the patient shall be kept confidential and not be disclosed to any person other than the central government or the state government concerned, as the case may be.
- e. The supply of any drug shall be made against a cash or credit memo generated through the e-pharmacy portal and such memos shall be maintained by the e-pharmacy registration holder as a record.
- f. New e-pharmacies have to be registered with the Central Drugs Standard Control Organization (CDSCO), India's apex drug regulator and central licensing authority.
- g. E-pharmacies have to take only one license in any state and can sell drugs all over the country even if they have one license.
- h. The sale of tranquilizers, psychotropic drugs, narcotics and habit-forming drugs have been prohibited through e-pharmacies portals.

- i. The premises of e-pharmacy shall be inspected, every 2 years by a team of officers authorized by the Central Licensing Authority, with or without the experts in the relevant field or the officers authorised by the concerned State Licensing Authority.
- j. The registration issued to any person for e-pharmacy will remain valid for a period of 3 years from the date of its issuance and a renewal of registration will have to be done in case it wants to continue.
- k. No e-pharmacy shall advertise any drug on radio or television or internet or print or any other media for any purpose.
- l. The e-pharmacies portals are mandatory required to have at least 12 Hours and all seven days a week customer support and grievance readdress of all stakeholders. The customer support should have a registered pharmacist in place to answer the queries of customers through such customer helpline.