



## LAWS GOVERNING HOMEOPATHIC PHARMACY IN INDIA

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### ABSTRACT

Homeopathy, an alternative medical system based on the principle of "like cures like," has a significant presence in India. The regulation of homeopathic pharmacy in India is governed by several key legislations, including the Drugs and Cosmetics Act, 1940, and the Drugs and Cosmetics Rules, 1945. These laws ensure the safety, efficacy, and quality of homeopathic medicines through stringent guidelines for their sale, manufacture, labeling, and packaging. The Drugs and Cosmetics (11th Amendment) Rules, 2017, further enhance the regulation of homeopathic medicines, allowing practitioners to dispense them from their clinics. Additionally, the Indian Medicine and Homoeopathy Pharmacy Bill, 2005, aims to standardize the profession of pharmacy in Indian medicine and homeopathy, although it has not yet been enacted into law. The Central Council of Homeopathy (CCH), established under the Ministry of AYUSH, plays a crucial role in regulating homeopathy in India. This article provides an in-depth analysis of these legislations and their impact on the homeopathy pharmacy sector in India.

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**Keywords:** Homeopathy, Laws, Drugs, Legislation, Cure, Bill.

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### INTRODUCTION

Homeopathic medicines are derived from various sources, including plants, animals, minerals, nosodes, sarcodes, imponderabilia, and synthetic substances. These medicines are prepared using different scales of potentization, such as decimal, centesimal, and 50 millesimal. They are tested on healthy individuals to create a remedy profile and are administered in minimal doses to patients based on symptom similarity to achieve a cure (Ernst E., 2002; TayyebaRehman, et al., 2017).

Homeopathy is an alternative medical system founded on the principle of "Similiasimilibuscurentur," which means "like cures like." This system was developed in the 18th century by German physician Dr. Christian Fredrick Samuel Hahnemann. The term "Homeopathy" is derived from the Greek words "homeos" (similar) and "pathos" (suffering), defining it as a therapeutic method based on symptom similarity (Mukherjee PK, et al., 2006).

Homeopathy holds significance in treating various diseases and disorders (Wayne JB., 2000). For instance, on March 6, 2020, the Ministry of AYUSH recommended the homeopathic medicine 'Arsenicum album 30' as a preventive and prophylactic measure for COVID-19-like illnesses.

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### LAWS GOVERNING HOMEOPATHIC

Homeopathy is a system of alternative medicine that was developed in the late 18th century by Samuel Hahnemann. It is based on the principle of "like cures like," meaning that a substance that causes symptoms in a healthy person can be used to treat similar symptoms in a sick person. Homeopathic remedies are prepared through a process of serial dilution and succussion (vigorous shaking), which is believed to enhance the healing properties of the original substance.

In India, homeopathy is widely practiced and regulated by several key legislations to ensure the safety, efficacy, and quality of homeopathic medicines. Here are some important points:

1. Drugs and Cosmetics Act, 1940: This act includes provisions for the regulation of homeopathic medicines. The quality, manufacturing, sale, and import of homeopathic medicines are governed by this act.
2. The Drugs and Cosmetics Rules, 1945, were established under the Drugs and Cosmetics Act, 1940, to regulate the import, manufacture, distribution, and sale of drugs and cosmetics in India. These rules ensure that drugs and cosmetics sold in the country are safe, effective, and meet quality standards.
3. Drugs and Cosmetics (11th Amendment) Rules, 2017: This amendment focuses on the regulation of homeopathic medicines, ensuring their quality and safety. It also clarifies that homeopathic practitioners can dispense medicines from their clinics.
4. The Indian Medicine and Homoeopathy Pharmacy Bill, 2005: This bill aims to regulate the profession and practice of pharmacy in Indian medicine and homeopathy. It proposes the establishment of Pharmacy Councils to oversee the profession.

These legislations are designed to maintain high standards in the preparation and distribution of homeopathic medicines, ensuring that they are safe and effective for patients.

## ANALYSIS OF LAWS IN HOMEOPATHY

Drugs and Cosmetics Act, 1940 and Rules 1945 in tune with Homeopathy Pharmacy-

Part	Rule	Content
VI- A	From Rule 67-A to Rule 67-H	Sale Of Homeopathic Medicines
VII- A	From Rule 85-A to Rule 85HH	Manufacture for Sale of Homeopathic Medicines
IX- A	From Rule 106-A to Rule 106-B	Labeling And Packing of Homeopathic Medicines

### Drugs and Cosmetics Act, 1940

The Drugs and Cosmetics Act, 1940, is a comprehensive legislation that regulates the import, manufacture, distribution, and sale of drugs and cosmetics in India. It ensures that drugs and cosmetics sold in the country are safe, effective, and meet quality standards. The act provides definitions for various terms, establishes regulatory authorities, and outlines penalties for violations.

### Drugs and Cosmetics Rules, 1945

The Drugs and Cosmetics Rules, 1945, were framed under the Drugs and Cosmetics Act, 1940, to provide detailed guidelines for the implementation of the act. These rules cover various aspects such as licensing, standards, labeling, packaging, storage, and distribution of drugs and cosmetics. They also specify the qualifications and duties of inspectors and analysts.

#### Part VI-A: Sale of Homeopathic Medicines (Rules 67-A to 67-H)

Rule 67-A to 67-H: These rules govern the sale of homeopathic medicines. They outline the requirements for obtaining a license to sell homeopathic medicines, the conditions for maintaining the license, and the responsibilities of the licensee. The rules ensure that homeopathic medicines are sold by qualified individuals and that proper records are maintained.

#### Part VII-A: Manufacture for Sale of Homeopathic Medicines (Rules 85-A to 85HH)

Rule 85-A to 85HH: These rules regulate the manufacture of homeopathic medicines for sale. They specify the standards for manufacturing practices, including the qualifications of personnel, the facilities required, and the procedures for quality control. The rules ensure that homeopathic medicines are manufactured in a controlled environment to maintain their safety and efficacy.

#### Part IX-A: Labeling and Packing of Homeopathic Medicines (Rules 106-A to 106-B)

Rule 106-A to 106-B: These rules govern the labeling and packing of homeopathic medicines. They mandate that homeopathic medicines must be labeled with specific information, including the name of the medicine, the potency, the batch number, the manufacturing date, and the expiry date. The rules also specify the requirements for packaging to ensure that the medicines are protected from contamination and degradation.

### The Indian Medicine and Homoeopathy Pharmacy Bill, 2005:

The Indian Medicine and Homoeopathy Pharmacy Bill, 2005, was introduced to regulate the profession and practice of pharmacy in Indian medicine and homeopathy. Here are some key points about the bill:

The bill aims to establish a regulatory framework for the profession of pharmacy in Indian medicine and homeopathy. It seeks to ensure uniformity and standardization in education and practice across the country.

1. **Pharmacy Councils:** The bill proposes the establishment of Central and State Pharmacy Councils for Indian medicine and homeopathy. These councils will oversee the regulation of the profession, including the registration of pharmacists and the maintenance of standards in education and practice.
2. **Educational Standards:** The bill sets out the qualifications required for registration as a pharmacist in Indian medicine and homeopathy. It also outlines the curriculum and standards for educational institutions offering pharmacy courses in these fields.
3. **Registration and Licensing:** The bill mandates the registration of pharmacists practicing Indian medicine and homeopathy. It also provides for the issuance of licenses to qualified individuals and the maintenance of a register of pharmacists.
4. **Regulation of Practice:** The bill includes provisions for the regulation of the practice of pharmacy in Indian medicine and homeopathy. This includes guidelines for the dispensing and sale of medicines, as well as the responsibilities and duties of pharmacists.
5. **Disciplinary Actions:** The bill outlines the procedures for taking disciplinary actions against pharmacists who violate the regulations. This includes the suspension or cancellation of registration and licenses.

As of now, the Indian Medicine and Homoeopathy Pharmacy Bill, 2005, has not been enacted into law. It was introduced in the Rajya Sabha (the upper house of India's Parliament) and referred to a parliamentary standing committee for examination. The bill remains a proposal and has not been passed as an act.

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## REGULATORY BODY OF HOMEOPATHY:

The Central Council of Homeopathy (CCH) is a statutory body under the Ministry of AYUSH, Government of India, responsible for regulating homeopathy in the country. Established in 1973, it is one of the Professional Councils of the University Grants Commission (UGC), formed to oversee higher education in India. The CCH was constituted under The Homeopathy Central Council Act, 1973.

1. The Central Government determines the number of members, not exceeding five, from each state with a State Register of Homeopathy. These members are elected by practitioners of homeopathy enrolled on that register.
2. The Central Government may nominate members, not exceeding 40% of the total elected members, from individuals with special knowledge or practical experience in homeopathy or related disciplines.
3. One member from each university is elected by the members of the Faculty or Department of Homeopathy of that university.

The President and Vice-President of the Central Council are elected by the members of the Central Council from among themselves in a prescribed manner. The term of office for the President, Vice-President, and members of the Central Council is defined by the legislative department (Legislative Dept., 2020).

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## Current Central Council of Homeopathy

### President

The Ministry of AYUSH, Government of India, has appointed a Board of Governors to exercise the powers and perform the functions of the Council under the HCC Act, 1973, as per Gazette Notification No. R-13040/61/2017-HD (Tech) dated 18.05.2018.

### Vice President

The Ministry of AYUSH, Government of India, has appointed a Board of Governors to exercise the powers and perform the functions of the Council under the HCC Act, 1973, as per Gazette Notification No. R-13040/61/2017-HD (Tech) dated 18.05.2018.

### Members

The Ministry of AYUSH, Government of India, has appointed a Board of Governors to exercise the powers and perform the functions of the Council under the HCC Act, 1973, as per Gazette Notification No. R-13040/61/2017-HD (Tech) dated 18.05.2018.

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## CONCLUSION

Homeopathy is creating a significant role in today's life and to run the practice in smooth manner, Law and order is being beneficiary to the practise sector. To make homeopathy work in efficient manner these laws which elucidates about pharmacy and practise make doctors and patient more aware about the medicines and make them aware citizen.

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