



THE ALL INDIA ORGANISATION OF CHEMISTS & DRUGGISTS®

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Hon. Gen-Secretary :

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05-03-2026

PRESS RELEASE

“No Compromise on Public Health” – AIOCD Strongly Opposes Proposal to Grant Drug Licenses to PACS

The All India Organisation of Chemists & Druggists (AIOCD) has strongly and unequivocally opposed the proposal to grant restricted drug licenses in Forms 20A and 21A to Primary Agricultural Credit Societies (PACS). The organization has termed the proposal a matter of serious concern for public health, patient safety, and the national drug regulatory framework.

AIOCD President J. S. Shinde and General Secretary Rajiv Singhal stated:

“Medicines are life-saving products. They cannot be treated at par with agricultural chemicals. Drug dispensing must strictly remain under the supervision of trained and registered pharmacists. Any dilution would amount to a risky experiment with public health.”

According to AIOCD, Rules 62A and 62B of the Drugs and Cosmetics Rules, 1945 were historically framed only for exceptional circumstances. At present, there is an adequate number of licensed medical stores and registered pharmacists available across urban as well as rural areas of the country. Therefore, large-scale issuance of restricted licenses is neither necessary nor justified.

AIOCD President J. S. Shinde and General Secretary Rajiv Singhal further emphasized:

“PACS institutions primarily deal in fertilizers, pesticides, and agro-chemicals. Storing medicines in such premises poses serious risks of cross-contamination and improper storage conditions. This directly affects patient safety.”

The organization also cautioned that dispensing medicines through non-pharmacists could increase misuse of antibiotics, medication errors, and contribute to national challenges such as Antimicrobial Resistance (AMR).

AIOCD has urged the Ministry of Health and Family Welfare to reconsider the proposal in the larger public interest and to safeguard the spirit and objectives of the Drugs and Cosmetics Act, 1940.

Key Demands of AIOCD:

- The proposal to grant restricted drug licenses to PACS should be withdrawn immediately.
- No general advisory should be issued to States/UTs under Rules 62A and 62B for licensing PACS.
- Pradhan Mantri Bhartiya Janaushadhi Kendras should operate only from duly licensed pharmacy premises under the supervision of registered pharmacists.

AIOCD represents more than 12.40 lakh chemists and druggists across the country, who are providing safe and lawful pharmaceutical services even in remote rural areas.

For All India Organisation of Chemists & Druggists (AIOCD)

J. S. Shinde Rajiv Singhal
President General Secretary



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March 4, 2026

Ref : MHFW/AIOCD/385/2026

To,

Ms. Punya Salila Srivastava

Secretary - Ministry of Health & Family Welfare,

Govt. of India,

156-A, Nirman Bhawan,

New Delhi - 110 011.

Subject: Strong Opposition in the larger public interest to the proposal for large-scale Grant of Restricted Drug Licenses in form 20A and 21A to the Primary Agricultural Credit Societies (PACS) under the redundant outdated Rule 62A & 62B of the Drugs and Cosmetics Rule under Drugs and Cosmetics Act 1940

Reference: - 1. With reference to the office memorandum DO letter no. 11016/66/2025-CTP dated 11.12.2025 received from Ministry of Cooperation-Reg

2. With reference F. No. X. 1/035/46/2025-DR of Health & Family Welfare dt 02.02.2026

Respected Madam,

We are writing this Strong Opposition in the larger public interest on behalf of AIOCD a pan India Association of 12.5 Lakhs retailers and distributors who are serving nation in the nook and corner of the country include remote rural areas.

This representation is submitted in strong opposition to the proposal communicated by the Ministry of Cooperation regarding the grant of restricted drug licenses to Primary Agricultural Credit Societies (PACS) for operating drug selling outlets under the Pradhan Mantri Bhartiya Janaushadhi Pariyojana based on historical and now redundant outdated Rule 62A & 62B of the Drugs and Cosmetics Rule under Drugs and Cosmetics Act 1940. The proposed move is hazardous and will poses a serious threat to the health of larger public and will be beyond control of the public health regulatory ecosystem of the country. Fact in laws and fact in consequences of such arbitrary proposal is elaborated as follows: -

1. **Rule 62A & 62B is now redundant and outdated and not give blanket permission to issue licenses**
Rule 62A & 62B under said Act and Rule is for Restricted License 20A and 21A which is now a days redundant and outdated. Even in age old era this provision itself is termed as Restricted License and not routine. In historical days also it was issued exceptionally to the grocery stores for limited household remedies listed in Schedule K and never to the proposed Agricultural poisonous chemicals' stores. You will find those old licenses are not renewed by such vendors as many retail outlets under supervision of registered pharmacist are opened in the nook and corner of pan India even in the smallest villages.

Cont..2/-



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2. Now, in India more than sufficient Pharmacists are available, no need of restricted license without Pharmacist :

Restricted licenses under Forms 20A and 21A were introduced historically for limited and exceptional situations where the qualified chemists and pharmacists was not available. In those days also licensing authority was required to see whether retail shops are not available in the area and what business applicant was doing. Licenses were never issued to dealer doing poison/pesticide/Agri. chemical dealer. At present, India has a vast network of licensed pharmacies and qualified pharmacists across urban as well as rural areas in the nook and corner of the country. Therefore, the original intent of the provision does not justify large-scale expansion to PACS in today's era where lakhs and lakhs registered Pharmacist are available. Today Situation of pharmacist is that they don't have services and even huge competition of retail counter even rural area. Therefore, saying pharmacists are not available in rural area observation of **Ministry of Cooperation (MOC)** is erroneous and not fact-based. Their proposal is therefore unnecessary, arbitrary, and contrary to ground realities.

3. If such licenses are issued it will be unregulated leading to health hazard to society.:

Granting such licenses on a policy basis would result in dilution of statutory safeguards, misinterpretation of the intent of the Drugs Rules, 1945, Creation of an unregulated parallel drug distribution system leading to spurious drug menace. Present regulatory framework is inadequate even to handle pharmacies.

4. Medicines Cannot be allowed to store in Agricultural pesticide and chemical store.:

PACS are agricultural institutions primarily engaged in handling Fertilizers, Pesticides, Agrochemicals all falls under poisonous category. Allowing such institutions to stock medicines raises serious concerns of cross-contamination, inadequate storage conditions, violation of Good Storage Practices and therefore direct risk to patient safety.

5. Absence of Qualified Pharmacist, A Serious Legal and Clinical Concern :

In PACS outlets medicines will be handled by non-Pharmacist. General public and patient will receive medicine from nonprofessional leading to abuse of medicinal use and health hazard. This will lead to irrational drug use, increases medication errors, encourages misuse of antibiotics and habit-forming drugs, undermines the regulatory framework established under the Act. Medicines require professional handling and cannot be safely distributed by untrained personnel. India is already facing a serious challenge of Antimicrobial Resistance (AMR). Expanding medicine distribution through non-professional outlets is likely to Increase indiscriminate sale of medicines includes antibiotics this will undermine national AMR containment efforts.

6. Threat to Public Health and regulatory Infrastructure:

The pharmacy profession is a most important stake holder in the healthcare delivery system. Medicines are life-saving therapeutic commodity and cannot be considered like agricultural chemicals and pesticides. Any dilution of pharmaceutical regulation will have serious and irreversible consequences on public health, patient safety and the national drug control framework. Instead of strengthening licensed pharmacies and pharmacist-led services, the proposal will undermine professional healthcare delivery, encourages commercialization of drug distribution and places public health at risk for administrative convenience.

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:3:

Permitting PACS to operate under restricted licenses will make regulatory monitoring extremely difficult, will weaken accountability mechanisms, compromise the integrity of the drug control system. This may set a dangerous precedent for further dilution of pharmaceutical regulations. Therefore, we request immediate reconsideration and withdrawal of the proposal in the interest of public health and regulatory discipline.

Our request: -

In the larger public health interest and regulatory integrity, it is strongly requested that:

- i. The proposal to grant restricted drug licenses to PACS be rejected.
- ii. No general advisory be issued to States/UTs for licensing PACS under redundant outdated Rule 62A & 62B.
- iii. PM Jan Aushadhi Kendra be permitted to operate only through licensed pharmacy premises under the supervision of registered pharmacists.
- iv. The sanctity and public health and objectives of the Drugs and Cosmetics Act be strictly protected.

Yours faithfully,

For **The All India Organisation of Chemists & Druggists**

(Rajiv Singhal)

Hon Gen Secretary

(J.S. Shinde)

President

Encl : Office Memorandum – Ministry of Health and Family Welfare dt 02.02.2026

F. No. X.11035/46/2025-DR

भारत सरकार / Government of India

स्वास्थ्य एवं परिवार कल्याण मंत्रालय / Ministry of Health & Family Welfare
स्वास्थ्य एवं परिवार कल्याण विभाग / Department of Health & Family Welfare
(औषधि विनियमन अनुभाग) / (Drugs Regulation Section)

कर्तव्य भवन 1, नई दिल्ली- ११

Kartavya Bhawan 1, New Delhi-11

दिनांकित/Dated:- 02/02/2026

OFFICE MEMORANDUM

Subject: - DO letter no. 11016/66/2025-CTP dated 11.12.2025 received from Joint Secretary, M/o Cooperation-Reg.

The undersigned is directed to refer M/o Cooperation's DO Letter No. 110016/66/2025-CTP dated 11.12.2025 requesting this Ministry to examine the possibility of extending a restricted license under the Drugs and Cosmetics Act, 1940 to Primary Agricultural Credit Societies (PACs) to enable them to operate as PM Jan Aushadhi Kendras (PMBJKs). It was also requested that an advisory in this regard be issued to the States so that PACS-based PMBJKs can be licensed and operationalised in a streamlined manner across States/UTs.

2. Attention is drawn to Rule 62A and 62B of Drugs Rules 1945 which govern the forms and conditions to be satisfied for the grant of restricted licenses. Herein, it is mentioned that restricted licenses in Forms 20A and 21A maybe issued subject to the **discretion of the licensing authority** to dealers or persons **only** in respect of drugs (Schedule K may also be referred to) whose sale does not require the supervision of a qualified person. Further, certain conditions such as adequate premises and proper storage accommodation are to be ascertained by the licensing authority before grant of these licenses.

3. Accordingly, it is requested that all officers under your administrative charge maybe apprised about the request of the Ministry of Cooperation and sensitized about the prevailing rule position for taking appropriate action in the matter.

This issues with the approval of the competent authority.

Encl: - A/a

Digitally signed by

Anshu Kumar

Date: 02-02-2026

13:35:20

(Anshu Kumar)

Under Secretary to the Govt. of India

To,

All State Health Secretaries (As per list attached)

Copy for information to

1. Sh. Siddharth Jain, Jt. Secretary, Ministry of Cooperations, Atal Akshaya Urja Bhawan, Lodhi Road, New Delhi-110003.

2. The DCGI, CDSCO, FDA Bhawan, Kotla Road New Delhi-110001.



State Controller

Dir (Drugs)

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19/2/2026

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 सिद्धार्थ जैन, आई.ए.एम.
 संयुक्त सचिव
 SIDDHARTH JAIN, I.A.S.
 Joint Secretary



सत्यमेव जयते

Office of Secretary (Health & FW)

FTS No. 4631/49

Date 12/12/25

भारत सरकार
 सहकारिता मंत्रालय
 Government of India
 Ministry of Cooperation

D.O. No 11016/66/2025-CTP

सहकार से समृद्धि
 Cooperation to Prosperity

Dated: 11.12.2025



परम आरोग्यीय भेदज्ञ,

As you are aware, under the guidance of Hon'ble Minister for Home and Cooperation, the Ministry of Cooperation (MoC) has undertaken several important initiatives to transform Primary Agricultural Credit Societies (PACS) into vibrant and self-sustainable economic entities. One such initiative is enabling PACS to operate Pradhan Mantri Bhartiya Jan Aushadhi Kendras (PMBJKs).

2. States and Union Territories have conveyed that the non-availability of registered pharmacists, particularly in rural, remote and tribal regions, is making it difficult for PACS to meet the requirement of deploying a full-time pharmacist. This challenge is adversely affecting the timely operationalisation of Jan Aushadhi Kendras by PACS.

3. In this context, it is kindly requested that the Ministry of Health & Family Welfare (MoHFW) may examine the possibility of extending a restricted license to PACS under Form 20A and Form 21A of the Drugs and Cosmetics Act, 1940 and Rules, 1945, specifically for operating Jan Aushadhi Kendras, thereby allowing them to function without the mandatory presence of a registered pharmacist, for selling specified medicines in accordance with the enabling provisions of the Act and Rules.

4. It is further requested that MoHFW may also issue suitable advisory to all State/UT Health Departments, requesting State Health Secretaries and State Drug Controllers to consider adopting similar enabling provisions so that PACS-based PMBJKs can be licensed and operationalised in a streamlined manner across States/UTs.

5. This facilitation will not only ensure wider accessibility of affordable, quality medicines in rural and underserved areas through PACS but also significantly enhance their service delivery and contribute to improved financial sustainability of these grassroots cooperative institutions.

सलमान,

Yours Sincerely,

सिद्धार्थ जैन
 (Siddharth Jain)

JS(HM)

Ms. Punya Salila Srivastava
 Secretary
 Ministry of Health & FW
 Nirman Bhawan, New Delhi - 110011

Office : Atal Akshaya Urja Bhawan, Lodhi Road, New Delhi - 110003 / Phone : 011- 20849014

E-mail : js-ctp-coop@gov.in

¹⁴¹[Provided that this shall not apply to itinerant vendors who have no specified place of business and who will be licensed to conduct business in a particular area within the jurisdiction of the licensing authority.]

¹⁴²**[62A. Restricted licences in Forms 20A and 21A—**(a) Restricted licences in Forms 20A and 21A shall be issued subject to the discretion of the licensing authority to dealers or persons in respect of drugs whose sale does not require the supervision of a qualified person.

(b) Licences to itinerant vendors shall be issued only in exceptional circumstances for *bona fide* travelling agents of firms dealing in drugs or for a vendor who purchases drugs from a licensed dealer for distribution in sparsely populated rural areas where other channels of distribution of drugs are not available.

(c) The licensing authority may issue a licence in Form 21A to a travelling agent of a firm but to no other class of itinerant vendors for the specific purpose of distribution to medical practitioners or dealers samples of biological and other special products specified in Schedule C:

Provided that travelling agents of licensed manufacturers, agents of such manufacturers and of importers of drugs shall be exempted from taking out licence for the free distribution of samples of medicines among members of the medical profession, hospitals, dispensaries and the medical institutions or research institutions.

¹⁴³**[62B. Conditions to be satisfied before a licence in Form 20A or Form 21A is granted.—**(1) A licence in Form 20A or Form 21A shall not be granted to any person unless the authority empowered to grant the licence is satisfied that the premises in respect of which the licence is to be granted are adequate and equipped with proper storage accommodation for preserving the properties of drugs to which the licence applies:

Provided that this condition shall not apply in the case of licence granted to itinerant vendors.

(2) In granting a licence under rule 62A the authority empowered to grant to it shall have regard to—

(i) the number of licences granted in the locality during one year immediately preceding; and

(ii) the occupation, trade or business carried on by such applicant:

Provided that the licensing authority may refuse to grant ¹⁴⁴[***] a licence to any applicant or licensee in respect of whom it is satisfied that by reason of his conviction of an offence under the Act or these rules or the previous cancellation or suspension of any licence granted thereunder, he is not a fit person to whom a licence should be granted under this rule.

(3) Any person who is aggrieved by the order passed by the licensing authority in sub-rule (1) may, within 30 days from the date of the receipt of such order appeal to the State Government and the State Government may, after such enquiry into the matter as it considers necessary and after giving the appellant an opportunity for representing his views in the matter, make such order in relation thereto as it thinks fit.]

¹⁴⁵[62C. Application for licence to sell drugs by wholesale or to distribute the same from a motor vehicle.—(1) Application for the grant ¹⁴⁶[***] of a licence to sell by wholesale or to distribute from a motor vehicle shall be made to the licensing authority in Form 19AA and shall be accompanied by ¹⁴⁷[a fee of rupees five hundred]:

¹⁴⁸[***]

(2) A fee of rupees ¹⁴⁹[one hundred and fifty] shall be paid for a duplicate copy of a licence issued under this rule, if the original is defaced, damaged or lost.

62D. Form of licences to sell drugs by wholesale or distribute drugs from a motor vehicle.—A licence shall be issued for sale by wholesale or for distribution from a motor vehicle of drugs other than those specified in Schedule C and Schedule C (1) in Form 20BB and of drugs specified in Schedule C and Schedule C (1) in Form 21BB:

Provided that such a licence shall not be required in a case where a public carrier or a hired vehicle is used for transportation or distribution of drugs.]