

No. 31015/79/2013-PI.I
GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS & FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS

B Wing, Janpath Bhavan, New Delhi

ORDER

Subject: Review application of M/s Albert David Limited Ltd under para 31 of DPCO, 2013 against NPPA notification S.O. NO. 1819(E) dated 21st June, 2013 fixing ceiling price of scheduled medicine Glucose Injection 10%.

Whereas Government of India, vide price fixation Order No. S.O.1819(E) dated 21st June, 2013 fixed ceiling price of scheduled medicine Glucose Injection 10% under provisions of the Drugs (Prices Control) Order, 2013 (DPCO, 2013).

2. And whereas aggrieved by the above notification M/s Albert David Limited (hereinafter referred to as the petitioners) had represented to the reviewing authority against the said price fixation. Personal hearing was granted to the Petitioners by the Department of Pharmaceuticals on 20.12.2013. The Petitioners were represented by Shri A.D. Chitlangia, Associate Vice President (Commercial). On behalf of the NPPA Shri S.K. Bhatt, Deputy Director (Tech) attended the hearing.

3. The issues involved in the review application have been examined based on the record of note of discussions of the personal hearing, other documents on record and the Government has decided as under:

“Para 4 of DPCO, 2013 clearly states the principle of market pricing and clarifies that the basis is that the price is to be retailer plus margin/markup. In the present case also the principle is the same. As clarified by NPPA the price of 10% formulation is on the basis of average market price and has been fixed accordingly in the DPCO, 2013. The price of 5% Dextrose was fixed under DPCO, 1995, therefore, there is a difference.

Since the principle involved is that the basis of pricing is the market price, and not the strength, packaging, etc., therefore, there is no case to interfere with the order of NPPA fixing the ceiling price of 10% formulation.”

Issued on this date 19th February, 2014.

(Roshan Lal)
Under Secretary to the Govt. of India
For and on behalf of the President of India

To

1. M/s Albert David Limited Pvt. Ltd.
B-12 & 13, Meerut Road, Industrial area,
Ghaziabad -201003 (U.P.)
2. The Member Secretary,
National Pharmaceutical Pricing Authority,
YMCA Cultural Centre Building,
New Delhi-110001

Copy to :

1. PS to Hon'ble Minister of State (Independent Charge) in the Ministry of Chemicals and Fertilizers, Shastri Bhawan, New Delhi for information.
2. Sr. PPS to Secretary (Pharma), Shastri Bhawan, New Delhi for information.
3. The Chairman, NPPA, YMCA Cultural Centre Building, New Delhi for information

