

**No. 31015/41/2013-PI.I**  
**GOVERNMENT OF INDIA**  
**MINISTRY OF CHEMICALS & FERTILIZERS**  
**DEPARTMENT OF PHARMACEUTICALS**

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B Wing, Janpath Bhavan, New Delhi

**ORDER**

**Subject: Review application of M/s Modi-Mundipharma Private Limited under para 31 of DPCO, 2013 against NPPA notification S.O. No. 1905(E) dated 28<sup>th</sup> June, 2013 fixing price of scheduled medicine Povidone Iodine Ointment 5%.**

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Whereas Government of India, vide price fixation Order No. S.O.1905(E) dated 28<sup>th</sup> June, 2013 fixed ceiling price of scheduled medicine Povidone Iodine Ointment 5%.

2. And whereas aggrieved by the above notification M/s. Modi-Mundipharma Private 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 23.8.2013. The Petitioners were represented by S/Shri Manmohan Singh, Ashutosh Khaitan, Salil Seth and Sudhir Bawa. 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:

Review application of the company is disposed of on the grounds that price fixation by NPPA is as per the provisions of DPCO, 2013. However, NPPA is requested to revalidate data as empowered under Para 9(1) of DPCO, 2013 on the basis of information provided by the Petitioners and any other information/data during the course of their survey in respect of Povidone Iodine Ointment 5%. It has been further decided that any survey or evaluation to validate the data may be broad based i.e. it should cover all formulators of the medicine, the data of which has been challenged. NPPA to place data on their website inviting all formulators, to send their objections within a specified time-frame, mentioning the discrepancy and details of their related data.

As regards inclusion of larger packs meant for hospital/institutional supply in calculation of ceiling price, it is stated that DPCO, 2013 provides for fixing the prices on the basis of per ml/per tablet etc. The data captured by IMS and supplied to NPPA may be used for all packs – large or small.

Issued on this date 17<sup>th</sup> December, 2013.

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

To

1. The Member Secretary,  
National Pharmaceutical Pricing Authority,  
YMCA Cultural Centre Building, New Delhi-110001
2. M/s Modi-Mundipharma Private Limited,  
1400, Modi Tower,  
98, Nehru Place  
New Delhi-110019.

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