

No. 31015/24/2013-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 applications of M/s IPCA Laboratories Ltd against NPPA notification S.O. No.1655 dated 14/6/2013 for fixing ceiling price of Scheduled Medicine under Drugs (Prices) Control) Order, 2013 (DPCO, 2013).

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Whereas Government of India, vide price fixation Order S.O. No.1655 dated 14.6.2013 fixed ceiling price of scheduled medicine Perinorm Tablets -10 mg.

2. And whereas aggrieved by the above notification M/s IPCA Laboratories Ltd (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 30.8.2013. The Petitioners were represented by Shri A.K. Jain, Joint M.D. and Shri S.L. Dhawan, Adviser. 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:

Normally, when it comes to finer details, it is only DPCO, 2013, which can be referred to. The NPPP-2012 can only provide broad framework. Para 4 of the DPCO, 2013 is very clear and it only mentions averaging of prices of all brands/generics, which fall under subset of drugs/medicines having market share more than or equal to 1% of the total market turnover on the basis of moving annual turnover. Therefore, it may not be proper to allow average of averages. Therefore, the method adopted by NPPA is in line with DPCO, 2013 provisions.

Issued on this date 31st December, 2013.

(Roshan Lal)

Under Secretary to the Govt. of India
For and on behalf of the President of India

To

1. M/s Ipca Laboratories Limited,
142-AB, Kandivli Industrial Estate,
Kandivli (West), Mumbai – 400067
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