

**No.31015/8/2012-PI.I**  
**Government of India**  
**Ministry of Chemicals & Fertilizers**  
**Department of Pharmaceuticals**

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'B' Wing, 3<sup>rd</sup> Floor, Janpath Bhawan,  
New Delhi

**ORDER**

**Subject: Review application of M/s Novo Nordisk India Pvt. Ltd. under Para 22 of the Drugs (Prices Control) Order, 1995 (DPCO, 1995) in respect of their various Insulin formulations, i.e. Human Mixtard 40iu, Human Actrapid 40iu, Human Mixtard 50 40iu and Human Insulatard 40iu manufactured by M/s Torrent Pharmaceuticals Ltd. under Licence from M/s. Novo Nordisk India Pvt. Ltd. and against NPPA price fixation Notification SO No. 2734 (E) dated 16.11.2012 fixing prices of Human Insulin Injections.**

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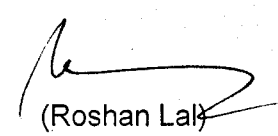
Whereas Government of India, vide price fixation Order SO No. 2734 (E) dated 16.11.2012 fixed the Prices of Human Insulin Injections, i.e. Human Insulin 40 IU in 10 ml vial Human Insulin 100 IU in 10 ml vial, Human Insulin 100 IU in 3ml cartridge.

And whereas aggrieved by the above notification, and as per the directions passed by the Hon'ble High Court of Delhi in respect of Writ Petition(C) No.7383/2012 with CM No.18907/2012 (Novo Nordisk & Anr. vs. National Pharmaceutical Pricing Authority & Anr.) M/s Novo Nordisk India Pvt. Ltd. (hereinafter referred to as Petitioners) had represented to the reviewing authority against the said price fixation. The Deputy Secretary in the Ministry of Chemicals & Fertilizers, Department of Pharmaceuticals gave personal hearing to the Petitioners on 7.12.2012. The Petitioners were represented by S/Shri Melvin D'Souza, Managing Director, Shri Suhas Karmbelkar, Finance Director, Dr. Raman Shetty, Medical Director, Shri Rohit Gangeshwari, Company Secretary, Shri Mahesh Agarwal, Legal Adviser. Shri S.K. Bhatt, Deputy Director, Shri Manish Goswami, Deputy Director, Shri Suneel Chopra, Consultant represented on behalf of NPPA during the hearing.

2. Based on the discussions in the personal hearing and documents on record the reviewing authority, i.e. Minister (Chemicals & Fertilizers) has passed the following order:

The review application of the company is rejected on the grounds of locus-standi as para 9 of DPCO, 1995 enjoins upon the Government to consider the cost or efficiency or both of major manufacturers of formulation and not of exporters/suppliers of bulk drugs, traders, technical knowhow providers etc. whereas the Petitioners are not the manufacturers of the formulations but only the traders of the formulations or transferors of technology.

Issued on this date 14<sup>th</sup> January, 2013.

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

To  
The Member Secretary,  
National Pharmaceutical Pricing Authority,  
YMCA Cultural Centre Building  
1, Jai Singh Road,  
New Delhi-110001

Copy to:

M/s Novo Nordisk India Pvt. Ltd., Plot No.32, 47-50, EPIP Area Whitefield, Bangalore -560066.

(By Speed Post)