

**No. 31015/92/2013-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 Reckitt Benckiser (India) Ltd against NPPA notification NO. S.O. 3348(E) dated 05.11.2013 for fixing ceiling price of Condoms under the Drugs (Prices Control) Order, 2013 (DPCO, 2013).**

Whereas Government of India, vide price fixation Order S.O.3348(E) dated 05.11.2013 fixed ceiling price of Condoms under the DPCO, 2013.

2. And whereas in pursuance of the Hon'ble Delhi High court Order dated 13.12.2013 in W.P.(C) No.7705/2013 & C.M. Appl.16407/2013 M/s Reckitt Benckiser (India) 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 8.01.2014. The Petitioners were represented by S/Shri Ravesh K. Jha, Director Legal, R. Jawahar Lal, Rajneesh Punj, Marketing Manager, Tenzing Yangdo Bhutia, Brand Manager. On behalf of the NPPA Shri S.K. Bhatt, Deputy Director (Tech) attended the hearing. Shri V.K. Tyagi, Dy. Industrial Adviser, Department of Pharmaceuticals was also present during the hearing as a technical expert.

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:

"The review application of the company is rejected as NPPA has fixed the prices as per provisions of DPCO, 2013.

However, whether pleasure condoms and PI condoms are different variants of condoms having different market and different manufacturing processes and therefore a different category may be referred to the Standing Technical Committee which has already been constituted for the purpose.

In regard to the data, NPPA is requested to revalidate the data by calling for information through their website, other public media and through all known sources as per the powers of revalidation conferred on them under proviso of para 9 of DPCO 2013. The Petitioners have to maintain the ceiling price already notified by NPPA under proviso to para 31 of DPCO 2013."

Issued on this date 11<sup>th</sup> February, 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 Reckitt Benckiser (India) Ltd.  
227, Okhla Industrial Estate,  
Phase-III, Okhla,  
New Delhi-110020

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

