

No. 31015/71/2013-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. Synchem Laboratories Pvt. Ltd under para 31 of DPCO 2013 against NPPA Notification NO. S.O.2531(E) dated 21.8.2013 fixing ceiling price of Scheduled medicine Oral Rehydration Salts Powder for Solution.

Whereas Government of India, vide price fixation Order S.O. No.2531(E) dated 21.8.2013 fixed ceiling price of scheduled medicine Oral Rehydration Salts Powder for Solution under the provisions of Drugs (Prices Control) Order, 2013.

2. And whereas aggrieved by the above notification M/s Synchem Laboratories Pvt. 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 17.10.2013. The Petitioners were represented by Shri K.C. Kohli. On behalf of the NPPA Ms. Manmohan Kaur, Deputy Director attended the hearing. Shri V.K. Tyagi, Dy. Industrial Adviser, D/o 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:

“NPPA has taken all branded/generic versions of a particular seller for a particular medicine to calculate MAT percentage. Therefore, interpretation by NPPA in clubbing all versions of a particular manufacturer is correct especially with reference to the definition of brand in para 2(c) of DPCO, 2013. Para 4 (1) only provides for simple averaging. Therefore, the review application is treated as rejected”.

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 Synchem Laboratories Pvt. Ltd
Shakti Niwas, Behind New India Industries,
Baroda-390005 (Gujarat)
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