

s Industry to move SC for notifying Guidelines on Spurious Drugs Act

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EVEN as the union health ministry is dragging its feet on the issue of notifying the Guidelines attached to the Spurious Drugs Act under which production and sale of spurious drug was made a non-bailable offence, the industry is seriously contemplating to move Supreme Court to curb harassment of genuine drug manufacturers at the hands of drug inspectors by misusing some provisions in the Act. The industry will pray to the Court for the immediate notification of the Guidelines.

According to sources, the indus-

try has already started the preparation for moving Supreme Court on the issue and the case may be filed at any time now. The industry is roping in a senior and reputed lawyer to argue the case.

The D&C (Amendment) Bill, better known as Spurious Drugs Act, was passed by Parliament in October 2008 and it received President's assent in December same year. The Bill, which enhanced the punishment to 10-year imprisonment and a fine of Rs 10 lakh for production and sale of spurious drugs, was notified on August 10, 2009, by the union health ministry.

Ever since, there was outcry from the industry over the sweeping powers given to the drug

inspectors in the amended Act. It feared that the genuine drug manufacturers will also be harassed by the drug authorities. The industry feared that if the Act is implemented in its present form, it will have far reaching consequences as there are several provisions in the Act which can be misinterpreted and misused by the drug authorities.

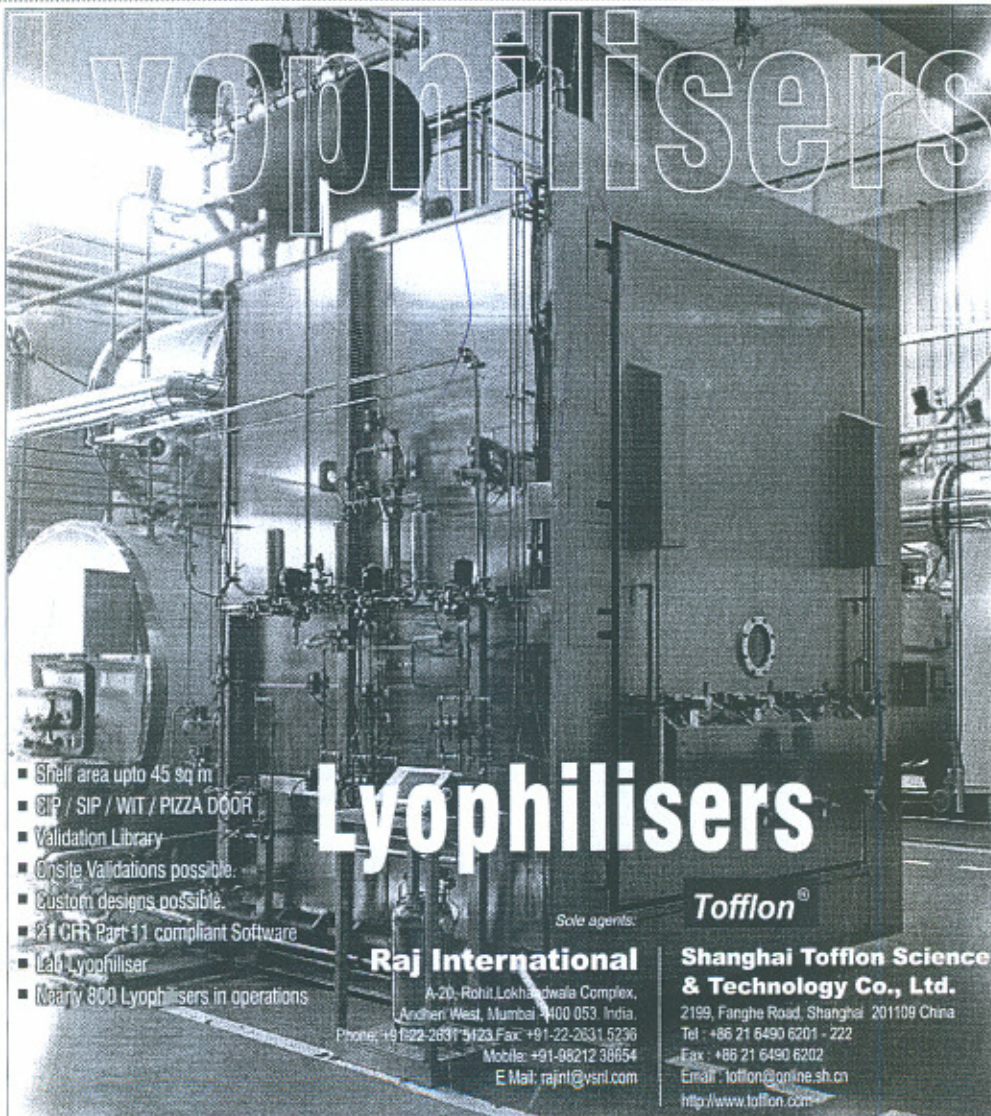
As the industry expressed its concern, the union health ministry came up with a set of guidelines and senior health ministry officials gave an assurance to the industry that it will make the guidelines mandatory and legally binding to ensure that genuine manufacturers are not harassed by the drug authorities.

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