

# SC slams Centre over delay in pricing policy

To pass interim orders if govt fails to take decision by Sept 27

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## ESSENTIAL DRUGS

THE Supreme Court on Tuesday came down heavily on the Central government for delay in finalising a new drug-pricing policy which will determine prices at which pharma companies can sell essential medicines in the retail market.

The apex court, while observing that the government might not find it appropriate if its ministers were summoned for their failure to take a decision to bring the 348 drugs on the National List of Essential Medicines (NLEM) under a price-control regime, granted a final opportunity to the Centre for communicating its decision.

"We further make it clear that if no decision is taken by

the next date of hearing (September 27), we will pass interim orders, as requested by the petitioner's counsel. We think the time has come when the court should pass interim orders," said a Bench of Justices G S Singhvi and S J Mukhopadhyay.

At the beginning of the hearing, Additional Solicitor General Siddharth Luthra adduced a letter by the under-secretary of the department of pharmaceuticals, Ministry of Chemicals and Fertilizers, and said the GoM has discussed the proposed drug policy in its meetings but a final decision was yet to be taken.

Bereft of more details, the

letter drew a censure from the Bench as it underlined that they had been waiting for long to be told what exactly was happening in these meetings of the GoMs.

It pointed to the ASG that the petition by NGO 'All India Drug Action Network (AIDAN)' had been pending since 2003 and that it was a "slur on the face" of all the stakeholders.

The petition, argued by senior advocate Colin Gonsalves, sought the court's intervention after the government failed to implement its decade old directive to finalise a pharma policy that brought all essential and life-saving drugs under price control so as to make essential drugs affordable and accessible to all.

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