

गोपनीय : Confidential

मिसिल स.- 8(4)/2013 डी.पी./एन पी पी ए- डीवी-II

F. No. 8(4)/2013/DP/NPPA-Div. II

कार्यवाही स. : 136/4/2013/F

Proceeding No : 136/4/2013/F

Minutes of the 136th and 4th meeting of Authority under DPCO 2013 held on 05th July, 2013 at 12.30 P.M.

The 136th and 4th meeting of Authority under DPCO 2013 was held on 05th July, 2013 at 12.30 P.M. under the chairmanship of Shri C. P. Singh Chairman, NPPA. The following members of the NPPA were present:-

- (i) Shri Sanjay Kumar, Member Secretary, NPPA.
- (ii) Shri K.L Prasad, Member (Ex-Officio), Adviser, Economic Division, Dept. of Economic Affairs.
- (iii) Smt. Aruna Sethi, Member (Ex-Officio), Adviser, Office of Chief Adviser Cost, Deptt. of Expenditure.
- (iv) Shri Chandra Sekhar, Deputy Drug Controller, representing the DCG(I), Department of Health.

The following officers also attended the meeting and assisted the Authority in its deliberations.

- (i) Shri R. Asokan, Director (Pricing)
- (ii) Shri A.K. Saha, Director (Overcharging)
- (iii) Shri Jagdish Kumar, Director (M&S)
- (iii) Shri S. K. Bhatt, Dy. Director (Technical)
- (iv) Shri Singh Veer Pratap, Dy. Director (Cost)
- (v) Smt Manmohan Kaur, Dy. Director (Cost)
- (vi) Shri Manish Goswami, Dy. Director (Cost)
- (vii) Shri S.S. Agarwal, Asstt. Director (Cost)

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- (viii) Smt. Babita Singh, Asstt. Director (Cost)
- (ix) Shri. T.R. Satish Chandran, Asstt. Director (Cost)
- (x) Shri. Sunil Chopra, Legal Consultant

Agenda Item no. 1

1. Members of the Authority who participated in the 135th and 3rd Meeting under DPCO, 2013 confirmed the minutes of the meeting.
2. **Action Taken Report:** Noted

The Authority was informed that as per the decision taken in the last meeting held on 28.06.2013, price fixation orders have been issued in respect of 51 cases of scheduled formulations under DPCO 2013.

Agenda Item no. 3:

3. The Authority had detailed deliberations regarding the price fixation of scheduled formulations under DPCO, 2013 relating to 25 fresh cases proposed in the Agenda. The Authority also recalled the deliberations held during the 1st meeting that the data of IMS Health is not complete and accurate and that IMS may have done extrapolation of the figures. Therefore, NPPA has certain limitations in this regard. The data available on the internet is also not complete and may not be considered as the PTR. Moreover the market share is not indicated in this data. Therefore, NPPA has taken a view that initially the prices may be worked out based on the IMS Health data and later on may be revisited in extra-ordinary circumstances and in public interest at large, if called for. The Authority approved the prices of all the 25 formulation packs for fixing / notifying the ceiling price under para 4 of DPCO, 2013. A Statement showing the prices approved and percentage of decrease from the highest price in the zone of consideration in respect of each medicine is enclosed as Annexure A as mentioned above.

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4. The Chairman, NPPA emphasised the need of the availability of Insulin formulations and implementation of the price fixed by Government by the manufacturers / importers. It was informed to the Authority that the Insulin formulations with revised prices are available in the market. It was also mentioned that no shortage of Insulin formulations has been reported to the NPPA so far. It was directed that this may be got reconfirmed by purchasing samples from the market by M&E Division.

5. Authority was further informed that representation from I.V. Fluids manufacturers / association has been received by NPPA wherein it is stated that the price of the product namely injection glucose 5% was fixed under para 10(b) of DPCO, 1995 and was revised in the year 2011. Under the DPCO, 2013 the prices have been fixed vide notification no. 1818(E) dated 21.06.2013. It was noted that since price of the product was fixed under para 10(b) of DPCO, 1995, the present price fixation of these medicines under DPCO, 2013 is creating confusion and large number of representation were also received from companies and industry associations. The Authority directed that the issues may therefore be examined and put-up as an agenda item in the next meeting.

6. It was informed to the Authority that in about 50 cases, the IMS health data is showing only one manufacturer. Therefore, the price fixation based on this data may not be realistic being the monopolistic situation. Taking note therefore, the Authority directed that in such cases, concerned manufacturers / industry associations may be asked to provide the names and other details required for price fixation of these medicines before considering price fixation in such cases.

7. This issues with the approval of Chairman, NPPA.


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(Sanjay Kumar)
Member Secretary