

**GOVERNMENT OF INDIA  
CHEMICALS AND FERTILIZERS  
LOK SABHA**

STARRED QUESTION NO:344

ANSWERED ON:21.03.2013

ESSENTIAL LIFE SAVING DRUGS

Mitra Shri Somendra Nath;Yadav Shri M. Anjan Kumar

**Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:**

- (a) the existing provisions in the Acts/ Rules for controlling the availability and prices of the essential/life saving drugs;
- (b) whether essential/life saving drugs have not been defined in the Drugs (Prices Control) Order, 1995;
- (c) if so, the reasons therefor; and
- (d) the details of violations of the above provisions by the drug manufacturer companies during each of the last three years and the current year in the country and the action taken by the Government against them, company-wise?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT KUMAR JENA)

(a) to (d) A Statement is laid on the Table of the House.

STATEMENT AS REFERRED TO IN REPLY TO PARTS (A) TO (D) OF THE LOK SABHA STARRED QUESTION NO.344 FOR ANSWER ON 21.3.2013 (4TH POSITION) REGARDING ESSENTIAL/LIFE SAVING DRUGS.

(a) to (c) There is no classification as "Essential / Life saving drugs" in the DPCO, 1995. As per para 22.7.2 of Modified Drug Policy issued in September, 1994, based on which DPCO, 1995 was formulated, the criteria for identification of drugs under price control (span of control) was based on turnover/market competition/monopoly situation etc. However, the National Pharmaceutical Pricing Policy, 2012 (NPPP-2012) notified on 7th December, 2012 has the provision of bringing the medicines listed in National List of Essential Medicines-2011 (NLEM-2011) having 614 formulations, under 27 therapeutic categories under price control.

National Pharmaceutical Pricing Authority (NPPA) monitors shortages & availability of drugs on the basis of reports received from State Drugs Control Administration and also complaints, if any, received from individuals etc. On receipt of such reports, NPPA immediately takes up the matter with the concerned manufacturer and advise them to rush the stock in the affected area.

(d) In case, a company is found selling the scheduled drugs / formulations at a price higher than the prices fixed by NPPA/Govt., appropriate action is initiated against the company by NPPA under para 13 of the DPCO,1995 read with Essential Commodities Act, 1955 for recovery of the overcharged amount. During the last three financial years viz. 2009-10, 2010-11 & 2011-12 and current year 2012-13 (upto February 2013), there are 223 cases where demand notices have been issued by NPPA after establishing overcharging as per year wise breakup given below:

S.No. Year Number of Cases where fresh Demand raised in confirmed cases of overcharging

1. 2009-10 80

2. 2010-11 44

3. 2011-12 26

4. 2012-13 (upto February 2013) 73

Total 223

The company-wise details is enclosed as Annexure.