

No. 31015/75/2012-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. Baxter (India) Pvt. Limited under para 31 of DPCO, 2013 against NPPA notification S.O. NO. 2863(E) dated 20.9.2013 fixing ceiling price of scheduled medicine Ringer Lactate Injection.

Whereas Government of India, vide price fixation Order S.O. NO. 2863(E) dated 20.9.2013 fixed ceiling price of scheduled medicine Ringer Lactate Injection under the provisions of Drugs (Prices Control) Order, 2013.

2. And whereas aggrieved by the above notification M/s. Baxter (India) Pvt. Limited (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 18.11.2013. The Petitioners were represented by Shri Navin Sharma, Director, Government Affairs, Shri Vishal Mehan, Corporate Counsel and Shri K.C. Kohli, Consultant. On behalf of the NPPA Shri S.K. Bhatt, Deputy Director (Tech) attended the hearing. Shri V.K. Tyagi, Dy. Industrial Adviser, Department of 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:

“The review application of the company is rejected on the ground that DPCO, 2013 does not provide for a separate pricing for separate packing material.

However, the Department has set up a committee to advise whether the variants available in the market have different therapeutic efficacy. This case is being referred to the committee to advise whether there is additional therapeutic efficacy of two port packs to enable this Department to take a decision on whether a separate pricing should be provided to two port bags.”

Issued on this date 17th February, 2014.

(Roshan Lal)
Under Secretary to the Govt. of India
For and on behalf of the President of India

To

1. M/s. Baxter (India) Pvt. Limited
2nd Floor, tower-C,
Building No. 8, DLF Cyber City,
DLF Phase-II, gurgaon-122002
Haryana
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