

No.31015/8/2013-PI.I
Government of India
Ministry of Chemicals & Fertilizers
Department of Pharmaceuticals

‘B’ Wing, 3rd Floor, Janpath Bhawan,
New Delhi

ORDER

Subject: Review Application of M/s Syncom Healthcare Limited under Drugs (Prices Control) Order, 1995 (DPCO, 1995) pursuant to direction contained in Hon’ble Delhi High Court order dated 5th April, 2013 in WP (C) No. 2151/2013 and CM No.4089/2013.

Whereas Government of India vide price fixation order S.O. No 1339(E) dated 16/9/2005 fixed prices in respect of certain Gel/Cream/Ointment formulations made from bulk drug Erythromycin.

2. And whereas, pursuant to Hon’ble Delhi High Court direction vide Order dated 5th April, 2013 in WP (C) No. 2151/2013 and CM No.4089/2013, M/s Syncom Healthcare Limited (hereinafter referred to as Petitioners) had represented to the reviewing authority against the said price fixation order of NPPA and notices for recovery of the overcharged amount issued by NPPA, i.e. dated 14.12.2012 and subsequent Certificate of Recovery dated 03.01.2013 issued by the Collector, Distt. New Delhi to the Collector, Dehradun(Uttarakhand) , under the provisions of DPCO, 1995 read with Section 7A of the Essential Commodities Act, 1955. Personal hearing was granted to the Petitioners by the Department of Pharmaceuticals 11.6.2013. The Petitioners were represented by Ms Varsha Gupta, Advocate and Mehruddin Saify Q.A. Officer. Shri Shyam Sunder Agrawal Assistant Director represented on behalf of NPPA while Shri V.K Tyagi, DIA attended the hearing as Technical Expert from the Department side.

3. The issues involved in the review application have been examined based on the record note of discussions of the personal hearing and other available records and the Government has decided as under:

“NPPA may be directed to revise the overcharging liability of the Petitioners after allowing the reasonable price to Tritinione 0.025%, 10 gm tube”.

4. NPPA and the Petitioners are directed to take action accordingly.
Issued on this date 23rd July, 2013.

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

To

1. The Member Secretary,
National Pharmaceutical Pricing Authority,
YMCA Cultural Centre Building, New Delhi-110001

2. Managing Director,
M/s Syncom Healthcare Ltd,
D-42, UPSIDC Industrial Area,
Selaqui,
Dehradun-248197
(Uttarakhand)

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-110001