

**GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS & FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS**

RAJYA SABHA
UNSTARRED QUESTION NO. 497
TO BE ANSWERED ON 07th February, 2023

Capping on essential drugs

497 # Shri Narhari Amin:

Will the Minister of **Chemicals and Fertilizers** be pleased to state:

- (a) the details of essential drugs, whose prices have been capped by Government during the last five years;
- (b) the provisions for action by Government on charging more than the fixed rates;
- (c) the total number of complaints received during the last five years with regard to over charging; and
- (d) the details of action that has been taken on the basis of complaints received?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF CHEMICALS & FERTILIZERS
(SHRI BHAGWANTH KHUBA)**

(a): National Pharmaceutical Pricing Authority (NPPA) under the Department of Pharmaceuticals (DoP) fixes the ceiling prices of scheduled medicines specified in the Schedule-I of the Drugs (Prices Control) Order, 2013 (DPCO, 2013). The details of drugs brought under price control/ regulation by NPPA are given below:

(i) Ceiling prices of total 890 scheduled formulations have been fixed under the National List of Essential Medicines (NLEM), 2015, out of which ceiling prices of 174 formulations have been fixed during the last 5 years.

(ii) Department of Pharmaceuticals notified Revised Schedule-I of DPCO, 2013 on 11.11.2022 based on the NLEM, 2022 notified by the Ministry of Health and Family Welfare on 13.09.2022. NPPA has fixed ceiling prices of 400 scheduled formulations till 03.02.2023 under NLEM, 2022.

(iii) Retail price of 2262 new drugs have been fixed under DPCO, 2013 till 03.02.2023, out of which retail prices of 1821 new drugs have been fixed in the last 5 years.

(iv) NPPA capped trade margin of non-scheduled formulations of 42 select Anti-cancer medicines under “Trade Margin Rationalization” approach in February, 2019, whereby price of around 500 brands of Anti-cancer medicines were reduced by up to 90%. This is in addition to 86 scheduled anti-cancer drugs whose ceiling prices have been fixed by NPPA.

(v) NPPA invoked Paragraph 19 of the DPCO, 2013 to regulate the price of Oxygen Concentrators, Pulse Oximeter, Blood Pressure Monitoring Machine, Nebulizer, Digital Thermometer and Glucometer under “Trade Margin Rationalisation” Approach in June, 2021 and July, 2021.

The details of all prices fixed by NPPA is available on the website of NPPA i.e., nppaindia.nic.in.

(b) to (d): The DPCO, 2013, under Para 14 (2), Para 15 (5) and Para 20 (2), provides for deposition of the overcharged amount along with interest thereon from the date of such overcharging by the manufacturers. Also, DPCO is an Order issued under Section 3 of Essential Commodities Act, 1955 and any violation of such order is punishable under Section 7 of the Essential Commodities Act, 1955. A total of 5178 cases alleging overcharging were received in NPPA during the period April, 2018 to January, 2023. NPPA examines such cases and if sufficient information indicating overcharging is found, overcharging proceedings are initiated as per the provisions under DPCO, 2013.
