

SHRI SANJAY DALMIA : The Government is allowing foreign companies to set up joint ventures in fields like Coca Co I would like to know why the Government does not allow joint ventures of the Indian companies along with the foreign companies to operate the airlines in India.

SHRI GHULAM NABI AZAD : I have said that as far as foreign equity is concerned, one person has applied so far and we have given permission to the extent of 40 per cent equity participation of a foreigner.

SHRI SANJAY DALMIA : That was about the NRIs. My question is about the Indian companies joining hands with foreign companies.

श्री गुलाम नबी आजाद : इंडियन्स के लिए तो बिल्कुल खुला ही खुला है। उसके लिए तो कोई प्रब्लिम ही नहीं है।

श्री दिग्विजय सिंह : इनका सवाल कुछ और है।

SHRI JOHN F. FERNANDES : After repealing the Air Corporation Act, we do not have any statutory body at the moment with a statutory weapon and control. On the contrary we have more airlines. There are fifteen airlines and one domestic carrier, the Indian Airlines. The authority is handicapped because it is exercised by the International Airports Authority the National Airport Authority and the DGCA. In the absence of any statutory central command and control. I would like to know whether he would see that an Air Transport Board is incorporated so as to control all these airlines.

SHRI GHULAM NABI AZAD : After the repeal of the Act, we have already issued some guidelines and we have also taken the private airlines into confidence. We had a long meeting with them. On the basis of the consensus on the points which were of mutual interest, they have been incorporated in those guidelines.

We have also said that if at any point of time these guidelines are not adhered to, we would have some quasi-judiciary body to regulate the airlines. But it will be as and when required.

MR. CHAIRMAN : Q. No. 126.

Prices of Cephalixin—Based Formulation

***126. SHRI ANANT RAM JAISWAL† :**
SHRIMATI SATYA BAHIN :

Will the MINISTER OF CHEMICALS & FERTILIZERS be pleased to state :

(a) what are the reasons of wide disparities in the prices of Cephalixin-based formulations like Alcepin, Alsporin, Nufex, Phexin Sepexin, Sporidex, etc.;

(b) what are the market prices in each case and what is the approved price;

(c) whether it is a fact that overcharging or manipulation of costs at the level of DPRC or its sub-committee is responsible for such a state of affairs; and

(d) what action Government propose to take to remove these anomalies ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) :

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

Statement

(a) There are no disparities in the approved prices of these Cephalixin based formulations.

(b) To the extent information is available, the market price of Cephalixin based formulations are in accordance with their approved Prices.

(c) and (d) Do not arise.

श्री अनन्त राम जायसवाल : सभापति जी क्या मंत्री जी यह बताने की कृपा करेंगे कि सीफेलेक्सिन और उस पर आधारित वह दवाएं जो कि सवाल के "ए" पार्ट में दे दी गयी है, वह ड्रग प्राइस कंट्रोल ऑर्डर के तहत आती हैं ? अगर हाँ, तो क्या सरकार ने उनके दाम घोषित किए हैं अलग-अलग दवाओं के ?

रसायन और उर्वरक मंत्री (श्री राम लखन सिंह यादव) : सभापति जी, 1993 के दिसम्बर महीने से इस पर मूल्य नियंत्रण लागू किया

†The question was actually asked on the floor of the House by Shri Anant Ram Jaiswal.

गया है। तदनुसार 15 दिनों के नोटिस ऐसे सभी कंसर्न्ड को दिए गए थे इसका जवाब मूल्य नियंत्रण कर के दें। उन्होंने इस काम को कर दिया है, लेकिन उसमें अब मूल्य में कोई डिफरेंस नहीं है। नहीं-कहीं है तो जहाँ एक्साइज ड्यूटी के चलते जो डिफरेंस पड़ता है वहीं पर असर है अन्वथा सब का मूल्य करीब-करीब बराबर हो गया है।

श्री अनन्त राम जायसवाल : सभापति जी, हमने यह पूछा था कि प्रश्न के पार्ट "ए" में दी गयी दवाएं ड्रग कंट्रोल ऑर्डर के तहत आती हैं ? अगर आती है तो क्या सरकार ने इनके दाम तय किए हैं और अलग-अलग इन दवाओं के दाम पर जो सरकार ने तय किए हैं, वह क्या है : कृपया यह बताएं।

श्री राम लखन सिंह यादव : ये मूल्य नियंत्रण के अंतर्गत आती हैं और इसलिए सरकार ने 15 दिन का नोटिस देकर मूल्य नियंत्रण कर दिया है। अब उसमें कोई और दिक्कत नहीं रह गयी है।

श्री अनन्त राम जायसवाल : सभापति जी, मेरे पहले प्रश्न का जवाब नहीं आया। मैं पूछ रहा हूँ कि उन दवाओं के सरकार ने क्या दाम घोषित किए, क्या दाम तय किए हैं ? मंत्री जी उसका जवाब तो नहीं दे रहे हैं।

SHRI EDUARDO FALEIRO : Of course, when we say they are approved prices, there is a price control also on these drugs. As the hon. Member knows very well, the price control applies to drugs which are produced by the companies in the organised sector. So far as drugs produced by the companies in the small-scale sector are concerned, they are exempt from price control.

MR. CHAIRMAN : What are the prices ?

SHRI EDUARDO FALEIRO : I am giving the prices, Sir. For instance, the companies which are producing these drugs and which are under price control are : Glaxo, Alembic Chemicals, Hoechst, Lyca and Ranbaxy. 95-M/B(N)16RSS- 2

The prices are : Rs. 16.54 for 250 mg in a pack size of four ; Rs. 30.80 for 500 mg in a pack size of four. The retail price goes from Rs. 16.54 to Rs. 18.17 and from Rs. 30.84 to Rs. 33.85. As far as our information goes, this is what is being observed.

MR. CHAIRMAN : Please put your second supplementary.

श्री अनन्त राम जायसवाल : सभापति जी क्या सरकार बताएगी कि जो दवाएं प्रश्न के पार्ट "ए" में दी गयी हैं, उनके बाजार भाव क्या है और बाजार भाव अप्रुव्ड प्राइस में सरकार की निगाह में कोई फर्क है कि नहीं ?

श्री राम लखन सिंह यादव : कंट्रोल के बाद मार्केट प्राइस जो अभी तक है, वह पहले 28-12-91 की 18 रुपये 17 पैसे, उसके बाद 33 रुपये 35 पैसे, 17 रुपये 95 पैसे, 33 रुपये 42 पैसे और 21 रुपये 48 पैसे है।

श्रीमती सत्या बहिन : माननीय सभापति जी, माननीय सदस्य ने अपने सवाल में मार्केट रेट पूछा था उन्होंने अप्रुव्ड प्राइस दी है। तो एक तो यह वास्तविकता है और इस सदन में भी कई बार इस विषय में चर्चा हो चुकी है और तबाल भी बहुत किए गए हैं कि मार्केट प्राइस, अप्रुव्ड प्राइस से बहुत ज्यादा होती है। तो ड्रग प्राइस कंट्रोल एक्ट के अप्रुव्ड के मुताबिक बाजारों में दवाइयों की कीमत है या नहीं, यह सुनिश्चित करने के लिए और उसको कंट्रोल करने के लिए और यह जानने के लिए कि वास्तव में अप्रुव्ड रेट से ज्यादा बाजार भाव तो नहीं है, कोई एजेंसी है या क्या इन्स्पेक्टर्स जाकर बाजार में इस संबंध में जांच-पड़ताल करते हैं, यह मैं मंत्री महोदय से जानना चाहती हूँ ?

श्री राम लखन सिंह यादव : सभापति जी अभी जहाँ तक हम लोगों को जानकारी है उसके मुताबिक जो हमने प्राइस फिक्स की है, उसमें और मार्केट प्राइस में कोई फर्क नहीं है। फर्क थोड़ा बहुत वहीं है जहाँकि एक्साइज ड्यूटी लगाने

का सवाल है और जहाँ तक इसकी जांच के लिए एजेंसी का सवाल है, यह सही ढंग से चल रही है कि नहीं, सही ढंग से व्यापार किया जा रहा है कि, सही ढंग से दाम निर्धारित है, दवा बिक रही है कि नहीं, यह देखने का काम पुलिस और हेल्थ डिपार्टमेंट का है जिसके लिए कि उनकी मशीनरी है। हमारे नॉलेज में जब कोई ऐसी बात आएगी तो हम उनका भेज देंगे।

SHRI RAJNI RANJAN SAHU : Mr. Chairman, Sir, I am glad that the Minister has announced here, in the House, that the Drug Price Control Order applies to these medicines since December, 1993. Prior to that, the company used to overcharge prices and the consumer had to pay because there was no price fixation before December, 1993.

There is a provision under the DPCO, named as the DPEA, the Drug Price Equalisation Account. The particular medicine is also being manufactured by Glaxo. The Minister has just now said that this particular medicine, which is in question, is also being manufactured by Glaxo. Glaxo is keeping Government money, under the head of DPEA, to the tune of Rs. 100 crores. What steps is the Government taking against this particular company which has already taken overcharge but keeping the money of the Government to the tune of Rs. 100 crores, which is the legitimate money of the Government to be paid by the company? Why has the Government fixed the prices without realising that amount? Why has the company not been charged for the non-payment of the amount with interest, which is lying under the head of DPEA in the name of the company, 'Glaxo'?

SHRI EDUARDO FALEIRO : Sir, under the present DPCO, 1987, the provision for DPEA is not existent. It does not exist. Though it existed under the previous DPCO, it does not exist at the moment. And, now, when any company overcharges for its products, the present DPCO contemplates that action is to be taken under the Essential Commodities Act. The nodal authorities for taking action are the State Drug Controllers. Action is to be taken under the Essential Commodities Act. Action has been taken in

several cases and we have got reports from Maharashtra and Gujarat, particularly.

SHRI RAJNI RANJAN SAHU : Sir the Minister is not giving the correct information to the House. He has just now said that the Drug Prices Act has been amended. The Drug Price Control Order has only been amended. It has not been substituted. Under that, the Drug Price Equalisation Account exists. Even today, that account exists in the name of the company.

क्या सरकार का पैसा डूब नहीं जाता अगर आपने कानून बदल दिया तो? आपका जो कानून अभी है, उस एकाउंट में पिछले दिनों में एक हजार कराड़ रुपया लोगों पर बाकी है। इस सदन में कई बार यह सवाल उठाया गया है। अब पिछले पैस को दवाने के लिए नया एक्ट आप बनाकर उस पैस का वसूल न करें और बतें कि असेन्सियल कमोडिटीज एक्ट में है, अगर है और असेन्सियल कमोडिटीज एक्ट आप लागू करना चाहते हैं तो आपने क्या नोटिस भेजा उस कंपनी को? उस की प्रोपर्टी अटैच की? उस पैस का रिलाइज करने के लिए सरकार ने क्या किया?

श्री राम लखन सिंह यादव : महोदय, मैं मानता हूँ इस बात को कि माननीय सदस्य का इन सब चीजों को जानकारी हम सबसे ज्यादा प्राप्त है और यह जानते हैं। इनकी जानकारी में, जो यह इनफोर्मेशन देंगे उससे हम लाभ उठाएंगे ताकि देश का फायदा हो, लेकिन बरबसते अब किससे ऊपर किसका रुपया बाकी बकाया कब का है, क्यों बकाया है, इनके कहने के संदर्भ में हम भी अपनी ओर से यथासंभव जो कानून लागू करें, उस पर देखेंगे कि यह हमें कहाँ तक सधता है। हम तो शुक्रगुजार होंगे और चूँकि मैं जानता हूँ कि इनकी बहुत जानकारी है इन सब मामलों में, तो इसलिए इनसे हम लाभ उठाएंगे।

श्री रजनी रंजन साहू : हम आपको देंगे जानकारी।

DR. YELAMANCHILI SIVAJI : Sir, the Minister, in his reply, has stated that all the Cephalaxin-based drugs like Alcepin, Alsporin Nufex, Phexin, etc. which are being marketed in this country are of the same chemical base, the chemicals and the ingredients being the same. Then, what is the rationale behind the difference in the prices of the various trade-names in the market? In the market, so far as my information goes, one tradename is selling at Rs. 14 for four capsules whereas others are selling at Rs. 18 or more. What is the rationale behind the wide variation in the prices of the same chemical produced under different trade-names?

SHRI EDUARDO FALEIRO : Sir, I have got all the information. I have a comparative statement of prices of Cephalaxin formulations, giving details for the brand name and the formulation, the company, the strength, the price approved by the Government, the excise duty and the retail price charged by the company and it is our assertion that there is no overcharging. This is our information. I am prepared to give this information to the hon. Member and he will see that there is no difference of any substance.

MR. CHAIRMAN : Q. No. 127. Shri Ashok Mitra.

Alternative to fertilizer subsidy

*127. **SHRI ASHOK MITRA† :**

SHRI AHMED MOHAMEDBHAI PATEL :

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

(a) whether Government are working on an alternative to fertilizer subsidy in the country; if so the details thereof ;

(b) whether the Parliamentary Committee on the subject has suggested a number of alternatives to subsidy;

(c) if so, whether Government have considered the recommendations of the committee in this regard;

(d) what steps Government propose to take to find out an alternative for subsidy.

(e) by when final decision is likely to be taken and

(f) What is the amount of the budgetary saving, the alternative subsidy policy aims at achieving on an annual basis?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) :

(a) to (f) A statement is laid on the Table of the House.

(a) to (f) The terms of reference of the Joint parliamentary Committee on Fertilizer pricing were as follows :

(i) To review the existing method of computation of the Retention price for different manufacturers of fertilizers and

(ii) to suggest whether there is any scope for reducing fertilizer price within the existing scheme of things, or whether a new methodology for fertilizer pricing should be evolved without causing undue strain to the exchequer, and at the same time assuring fair prices to the farmers and a fair return to the manufacturers."

Some of the recommendations of the Committee like decontrol of phosphatic and potassic fertilizers, abolition of customs duty on imported phosphoric acid and capital goods, and concession in interest rates on loans for setting up new projects were aimed at reducing expenditure on subsidy. Among others, these recommendations have been accepted and implemented.

¶ The revised budgetary provision for subsidy in the current year is Rs. 4,400 crores as against Rs. 5,800 crores in 1992-93.

SHRI ASHOK MITRA : Sir, from the newspaper reports, we are given to understand that the Prime Minister is thinking in terms of an alternative strategy for fertilizer subsidy which goes beyond the recommendations of the Joint Parliamentary Committee. But I will leave that aside. What is of concern is that the fertilizer subsidy has been slashed from the level of Rs. 5,800 crores in 1992-93 to Rs. 4,400 crores in the current year and the Finance Minister has suggested that next year, there will be a further cut and the total quantum will be only Rs. 4,000 crores. I am not at all worried about the rich farmers. They are of the being

†The question was actually asked on the floor House by Shri Ashok Mitra.