

Notices were issued to the company in 1984 as well as on 18th April, 1990.

(d) The company was given time to respond to the notices by 10th May, 1990. They have also been reminded. In case they fail to furnish the details, action as per due process of law would be taken against the company.

(e) No, Sir.

(f) and (g) Position about the implementation of the prices of formulations based on Fluciholone Acetonide fixed with effect from 9th March, 1990, is being ascertained.

#### Implementation of Government fixed prices of Baralgon Ketone

1320. SHRIMATI MANORAMA PANDEY:

DR. G. VIJAYA MOHAN REDDY:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the answer to Unstarred Question 315 given in the Rajya Sabha on the 7th May, 1990 and state:

(a) when did the company challenge the Government fixed prices of Baralgon Ketone and when did Delhi High Court grant the stay to the company;

(b) whether it is a fact that Supreme Court upheld the Government fixed price?

(c) if so, when the Supreme Court gave the judgement;

(d) whether it is a fact that the company was selling the finished medicine based on the bulk drug price of Rs 24,7355 36 per kg. during the litigation period; and

(e) when Government fixed price of Baralgon Ketone at Rs. 1810.20 per kg. and when did the company implement these prices?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI M. S. GURUPADASWAMY): (a) M/s. Hoechst India Limited challenged the prices fixed for Baralgon Ketone and two other drugs

by the Government in the Delhi High Court in March, 1981. An interim stay was granted by the court on 17th March, 1981.

(b) Yes, Sir.

(c) The Supreme Court gave the judgement in this case in May, 1987.

(d) They sold formulations based on Baralgon Ketone at their prices because of the stay granted by the High Court in favour of the company.

(e) Government fixed the price of Baralgon Ketone of Rs. 1810.20 per kg. on 31st December, 1980. Details about the date of implementation of the said price are being collected and will be laid on the Table of the Rajya Sabha.

#### Scrutiny of amounts assessed by special team

1321. SHRIMATI MANORAMA PANDEY:

DR. G. VIJAYA MOHAN REDDY:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the answer to Unstarred Question 313 given in the Rajya Sabha on 7th May, 1990 and state:

(a) when did his Ministry received representations against under assessment of liabilities by special team and when did his Ministry take the decision to get the assessment scrutinised;

(b) whether it is a fact that his Ministry have scrutinised certain cases of liabilities;

(c) if so, what are the details thereof;

(d) whether it is also a fact that his Ministry have found the liabilities under assessed;

(e) if so, what action has been taken; and

(f) by when all the cases would be scrutinised?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI M. S. GURUPADASWAMY): (a) Representations against the tentative amounts assessed by the Special Team upto 31.12.1983 in respect of companies involved in the Supreme Court case were received before July, 1989 and also thereafter. In view of these representations, it was decided to have the scrutiny of the tentatively assessed amounts by the Additional Secretary and Financial Adviser in the Ministry of Industry in July, 1987.

(b) and (c) Such a scrutiny revealed the areas which have not been properly looked into by the Special Team and the Price Review Committee.

(d) to (f) In view of the facts revealed by the above mentioned Scrutiny and the further representations that were received, it has been decided to have a fresh look into the recommendations of the Special Team, the Price Review Committee and the developments thereafter. This process is presently in progress.

1322. [Transferred to the 24th May, 1990]

#### Review of DPCO, 1987

1323. SHRI SHANKAR DAYAL SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the answer to Starred Question 182 given in the Rajya Sabha on the 26th March, 1990 and state:

(a) whether it is a fact that DPCO, 1987 is under review;

(b) if so, by when this review would be completed;

(c) what are the broad parameters based on which DPCO, 1987 is being reviewed;

(d) whether his Ministry has carried out any study of discounts, Trade Commission, Free samples, free saleable packs and expensive gifts

given by the formulators before starting of review;

(e) whether it is also a fact that standing committee is also considering the anomalies and discrepancies found in Kelkar Committee Report

(f) if so, what are the details of anomalies came to the notice of his Ministry;

(g) whether it is also a fact that the representations received regarding wrong exclusion of certain drugs from price control; and

(h) if so, what are the names of those drugs and details of decision taken?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI M. S. GURUPADASWAMY): (a) to (c) and (e) to (h) After the promulgation of the DPCO, 1987, a number of representations were received from the Members of Parliament for wrong inclusion/exclusions of bulk drugs in the Scheduled Categories. The Kelkar Committee considered all such representations and submitted its Supplementary Report to the Government based on that certain drugs were included/excluded from price control. However, even after the Government has received number of representations from various sources including Members of Parliament regarding wrong exclusion of certain bulk drugs from price control as well as other anomalies & discrepancies in the Reports of the Kelkar Committee. In order to deal with all such representations, as already answered in reply to the Rajya Sabha Starred Question No. 182 answered on 26-3-90, Government has constituted a Standing Committee under the Chairmanship of Secretary, Department of Chemicals and Petrochemicals. This Committee is a permanent Committee and will consider all such representations concerning DPCO, 1987 as and when received. There are about 100 bulk drugs, names of which have been already given in reply to Rajya Sabha Starred Question No. 182.