

(b) if so, what was the mark up allowed on finished medicines based on above drugs under the Drugs Price Control Order, 1979 and what is it under DPCO, 1987 on each of these medicines;

(c) whether it is also a fact that his Ministry is monitoring the production of these drug;

(d) if so, what was the production of each drug during the last three years, year-wise;

(e) whether it is a fact that there was no import of these drugs during 1986; and

(f) if so, on what basis his Ministry decided on such a high mark up?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND

PETRO-CHEMICALS IN THE MINISTRY OF INDUSTRY (SHRI R. K. JAI-CHANDRA SINGH): (a) and (b) The formulations based on bulk drugs referred to in the question are entitled for MAPE at the rate of 100 per cent under DPCO, 1987 as against 55 per cent mark up under the DPCO, 1979.

(c) Yes, Sir

(d) and (e) The required details of production to the extent available are given in the statement (see below) The details of import are not available.

(f) The rates of MAPE for Category I & II provided in the DPCO, 1987 are based on the measures for rationalisation quality control and growth of drugs and pharmaceutical industry in India announced by the Govt. in December, 1987.

Statement

Sl. No.	Name of the Bulk Drug	Unit	Production		
			1983-84	1984-85	1985-86
1	Analgim	T	829.48	1265.05	1259.38
2	Chloramphenicol Powder	T	96.88	140.31	144.61
3	Chloramphenicol Palmitate	T	6.06	12.51	13.27
4	Frusemicide	T	9.00	76	7.57
5	Oxytetracycline	T	104.99	135.60	142.14
6	Prenisolone	T	1846.00	1682.00	1721.00

Prices of Betamethasone and its salts

3107. SHRI BEKAL UTAHI: Will the Minister of INDUSTRY be pleased to state:

(a) whether his Ministry fixed the prices around 1980 or so of Betamethasone and its salts under DPCO, 1979;

(b) if so, what price per kg. was fixed for each and charged by the producer;

(c) whether it is also a fact that the producer challenged the prices fixed by his Ministry in the Delhi High Court,

(d) whether it is also a fact that the Court upheld the prices;

(e) if so, when was the judgement announced and what are the details of the judgement;

(f) whether the court give any other direction to his Ministry;

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

(h) whether his Ministry is monitoring the production of these drugs; and

(i) if so, what was the yearly production of each from the date of fixation of the price upto the month of the judgement?

THE MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETRO-CHEMICALS IN THE MINISTRY OF INDUSTRY (SHRI R. K. JAICHANDRA SINGH) (a) Yes, Sir.

(b)	(26-11-86) under w.e.f. 18-5-81 Rs./Gm.	Price charged by the company (as per Court stay order) Rs./Gm.
Betamethasone Alcohol	127.70	134.28
Betamethasone 17-Valerate	122.00	220.00
Betamethasone Di Sodium Phosphate	135.00	225.00

(c) Yes, Sir.

(d) Court has directed the Government to fix the prices after giving a hearing to the company.

(e) to (g) The operative part of judgment of the case is given in the annexed statement (see below).

(h) Yes, Sir.

(i) Captive consumption of sales

Yearly production	Betamethasone Alcohol	Betamethasone 17-Valerate	Betamethasone Di-Sodium Phos.
1981-82			
1982-83			
1983-84	133.11	260.678	231.116
1984-85	147.529	320.810	243.590
1985-86	140.699	290.145	249.478

### Statement

17. For the above reasons, we have come to the conclusions that the interests of justice require that the respondents should give the petitioner once more an opportunity of being heard on the price fixation order of 1986. We, However, wish to make it clear that we are not setting aside the order dated 20-11-1986 for this purpose; nor do we, in view of the categorical observations of the Supreme Court, consider it necessary, proper or appropriate to state further implementation of the said order or to stay any proceedings for fixation of prices of various drug formulations of the petitioner which the respondents might wish to initiate. We would only direct the petitioner to file a formal application for review and the Government to deal with the same (condoning the delay in filing the same due to the pendency

of this writ petition) after giving the petitioner a hearing on the lines indicated above and, in the light of such hearing, to affirm or revise the prices fixed by the order dated 20-11-1986 and to make consequent changes, thereafter, in the prices for drug formulations, if fixed in the meanwhile.

### Kelkar Committee report

3108. SHRI BEKAL UTSAMI: Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the Hathi Committee studied all the aspects of Drug Industry and made their recommendation explaining the grounds before arriving to the conclusion of each recommendation in the report;

(b) whether it is a fact that based on the Hathi Committee report the drug policy