

**श्री राजनारायण :** आज हमारे यहां सब जगह चर्चा है कि यह सरकार सारे उद्योग धंधों पर एकाधिपत्य करना चाहती है। लेकिन क्या प्रधान मंत्री साहिबा इस बात की सफाई देंगी कि क्या वे उद्योग धंधों में एकाधिपत्य को बढ़ावा देना चाहती हैं? अगर नहीं तो फिर सदन में इतनी चर्चा के बाद फिर बिरला को नये लाइसेंस क्यों दिये गये, फिर उनको जिन फैक्टरी का एक्मटेंशन रोका गया था, अलूमिनियम फैक्टरी पिपरी, मिर्जापुर को अपना उत्पादन बढ़ाने की इजाजत कैसे मिली, टाटा को नयी फैक्टरी कैसे मिली और जयपुरिया को नया कारखाना गाजियाबाद और रायबरेली में खोलने की इजाजत कैसे मिली? यह प्रश्न उठ रहे हैं। कोई जवाब दे। और जब इन प्रश्नों का जवाब मांगा जाता है तो कुछ चाटुकार लोग हल्ला मचाते हैं, जैसे उनको ही अपने प्रधान मंत्री से बड़ा प्रेम है और हम को नहीं है। मैं बता दूँ कि मैं पाप से घृणा करता हूँ, पापी से नहीं। प्रधान मंत्री से हम को घृणा नहीं है, उनके पापों से हमको घृणा है। इसलिए मैं चाहता हूँ कि वह सुधरें। मैं चाहता हूँ कि वह सव्यवस्थामिनी हों और जो वह गलत मार्ग का अवलम्बन कर रही हैं उस को वह छोड़ दें। वह इस प्रश्न का जवाब दें कि क्या कारण है कि जब इस सदन में यह माना गया कि मोनोपॉली को रोका जाय और बड़े-बड़े हाउसेज पर और उन से सम्बन्धित मंत्रियों पर जांच आयोग बैठाया जाय तो बावजूद सदन की इच्छा के फिर ऐसा बुरा काम क्यों हुआ?

MR. DEPUTY CHAIRMAN : That is enough. We shall now go to the next item.

#### CLARIFICATIONS IN RELATION TO STATEMENT RE PRICES OF DRUGS LAID ON THE TABLE OF THE RAJYA SABHA ON AUGUST II, 1970

**श्री सुन्दर सिंह भंडारी (राजस्थान) :** उपसभापति महोदय, दवाओं के बढ़ते हुए दामों के सम्बन्ध में मंत्री जी ने अपने वक्तव्य में इस बात को स्वीकार किया है कि कन्वेंशनल एंटी टी० बी० ड्रग्स, विटैमिन प्रिपेरेशन्स, पेन रिलीविंग ड्रग्स और कामनली यूज्ड हाउसहोल्ड रेमेडीज जो हैं इनमें प्राइस की वृद्धि हुई है। मैं समझता हूँ कि यह इस बात का कंफ्रेशन है कि

तमाम मजों में से 90 प्रतिशत मजों में जिन दवाओं की आवश्यकता होती है उन पर कीमत की बढ़ोत्तरी का परिणाम हुआ! अब यह कीमत की बढ़ोत्तरी का यह परिणाम क्यों हुआ है इसको भी उन्होंने अपने वक्तव्य में दिया कि पिछली 31 जुलाई को दवा बनाने वाले लोगों ने अपनी प्राइस लिस्ट सरकार को स्कुटिनी के लिये दी और आज 10 दिन या 12 दिन इस चीज को हो गये और सरकार अभी तक उसकी जांच कर रही है, उस स्कुटिनी के आधार पर फैसला नहीं कर पाई कि जो दवाओं के दाम निश्चित किये जा रहे हैं वह वाजिब हैं या गैरवाजिब हैं। इसी का फायदा ले कर ये सब दवाओं के दाम बढ़े हैं।

तो मैं सरकार से कंटेगोरिकली पूछना चाहता हूँ कि यह स्कुटिनी और कितना समय लेगी? क्या इस स्कुटिनी के समय का लम्बापन इंगलिये है कि ड्रग मैनुफैक्चरर्स के साथ कोई साजिश हुई है और उसके अनुसार यह लम्बा होना चला जायेगा? अगर यह है तो फिर इसके सम्बन्ध में मुझे इस मंत्रालय पर आरोप और आक्षेप लगाना पड़ेगा। मैं यह इंगलिये कह रहा हूँ क्योंकि जो स्माल प्रोड्यूसर्स हैं, स्माल सेक्टर हैं, उनकी भी इसी प्रकार की लिस्ट 31 अगस्त तक आयेगी। आपका जो स्टडी ग्रुप है वह अभी तक स्टडी कर रहा है, उसकी रिपोर्ट नहीं आई। फिर से आप उसके स्कुटिनी में और ज्यादा समय लगायेंगे तो जो मत्स्यानाश बचा है वह 31 अगस्त के बाद उस स्टडी ग्रुप की रिपोर्ट आने तक सर्वमत्स्यानाश हो जायेगा और कोई दवा ऐसी नहीं बचेगी जिसकी कीमत 100 परसेंट या उससे ज्यादा नहीं बढ़ेगी।

**श्री राजनारायण :** इतनी अभी भी बढ़ गई।

**श्री सुन्दर सिंह भंडारी :** एक तीसरी बात आप यह कहने हैं कि आपको अधिकार है, सरकार को अधिकार है—

"Government have the power under the Control Order to take corrective action."

मैं यह पूछना चाहता हूँ कि आपका स्टडी ग्रुप जांच करता रहे, आपकी स्कुटिनी चलती रहे लेकिन आपने एक प्राविजन किया है कि अपनी फैक्ट्री मूल्य से डेढ़-गुना तक वह कीमत बढ़ा सकता है या वह अपने मुनाफे

को 15 परसेंट तक बढ़ा सकता है, यह दो प्रकार की छूट दी। आपने उनकी गुड कांसेंस पर छोड़ दिया कि वह पर्याप्त मात्रा जिसमें ले रहे हैं उसमें क्यों बढ़ायेगे ? लेकिन अगर गुड कांसेंस के ऊपर ही यह बात होती तो जो यह फ़ैक्ट है कि कीमत बढ़ी है वह बात न होती। गुडविल और गुड कांसेंस पर छोड़ी हुई बात का दुस्वभाव हुआ है। तो जो पावर्स हैं आपके अन्दर करेक्टिव एक्शन लेने के लिये हैं उसकी हम जब तक प्रतीक्षा करें ? क्या वह स्टडी ग्रुप की स्ट्रुक्चर तक आपका हाथ बढ़ा हुआ है ? Does not the law force you ? या जब तक उन ड्रग मैन-फैक्चरर्स के साथ जो समझौता हुआ है वह पूरा नहीं होता तब तक आप इनएक्टिव रहने वाले हैं ?

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINES AND METALS (DR. TRIGUNA SEN) : Mr. Bhandari has asked certain questions, mainly how long it will take the Government to scrutinise the prices of the drugs which has shown a rise in prices. He also doubts that when the small-scale sector submits its price lists on the 31st August, the Government may also take some time for scrutiny and that in the meantime drug prices will go up further high. Am I correct?

SHRI SUNDAR SINGH BHANDARI : Yes.

DR. TRIGUNA SEN : Your main question is : How long will it take to scrutinise the prices that have been submitted by the manufacturers? You have also asked whether—You said sajish—we are in league with the manufacturers to allow them to make more profits.

My friend will agree that so far as the objective of this Drug Price Control Order is concerned, there are no two opinions in the minds of any one in this House that we all want to give relief to the suffering humanity. You will appreciate that there are about 2,400 units which are manufacturing drugs in big scale, medium scale and small scale sectors. And there are 5,000 to 6,000 different formulations in the country.

SHRI SUNDAR SINGH BHANDARI : You have already explained the rationalisation.

DR. TRIGUNA SEN : I understand it. If the prices of drugs that will be calculated according to the formula by a particular manufacturer are handed over to us and if we scrutinise the price lists of these 5,000 to 6,000 or more of the formulations of the drugs, then it will take a year or so. So, we told all the manufacturers: "Well, this is the formula. According to this we allow you to calculate the prices, announce them and send them to all the thousands of dealers in the whole country." We have not approved of any of the prices so far at least. You must have seen it. We will scrutinise the price of each and every drug and then we will approve of it. Otherwise they should take it that we have not approved of any price that has been declared by any of the manufacturers.

SHRI SUNDAR SINGH BHANDARI : Till then, is the increase justified?

DR. TRIGUNA SEN : Not necessarily. If the price is fixed as on 31st July, it is not possible for any machinery to scrutinise it within a day or two. It takes time.

SHRI SUNDAR SINGH BHANDARI : How much time?

DR. TRIGUNA SEN : One minute. So we told them : "You better do it. But we are not approving the prices as indicated by you. They will be subject to scrutiny by the Government". During this period, we have identified the drugs and I have mentioned them in my statement.

Prices of some drugs—the prices of anti-tubular or day-to-day use medicines—have gone up.

We have identified them. Within a very short time, we will be able to tell the manufacturers that they should agree to reduce the prices. One feature in this is that all the manufacturers are so cooperative.....

SHRI A. P. CHATTERJEE (West Bengal) : Please do not say that these capitalists have cooperated with you. That is too much.

DR. TRIGUNA SEN : I do not like to cry down all the manufacturers like this. Excuse me. I do not agree with that.

SHRI SUNDAR SINGH BHANDARI : Will your decision be retrospective?

DR. TRIG UNA SEN : One minute...

SHRI A. P. CHATTERJEE : So, you depend more on the cooperation of the capitalists.

SHRI KRISHAN KANT (Haryana): You are depending upon Birla's cooperation .

(Interruptions)

SHRI A. P. CHATTERJEE : You have given Birlas cement factory licence and you have taken tonnes of rupees from them ..... (Interruptions). Who gave them the fertiliser licence and who gave them the cement factory licence?

SHRI KRISHAN KANT : In Kerala what has happened.

(Interruptions)

SHRI A. P. CHATTERJEE : You are the slaves of Birlas. You wanted an inquiry into their affairs and immediately you gave them the licence for a fertiliser plant. Are you not ashamed of it? ..... (Interruptions). Do not try to be socialists. You are the boot-lickers of capitalists...

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI A. P. CHATTERJEE : Your Government does not carry on for a day without their help.

(Interruptions)

SHRI KRISHAN KANT : In Bengal...

(Interruptions)

SHRI A. P. CHATTERJEE : We shall see that you do not get a single seat in West Bengal .....

(Interruptions)

SHRI NIREN GHOSH (West Bengal) : It is the Birlas who have told us that they are paying you.

(Interruptions)

SHRI RAJNARAIN (Uttar Pradesh) : Capitalism and communism can go together. WT Tf arrfT 'sff^ft^T \*fW ?fk "it :^ff TRfff? >ft ^ ^ ^ \*rra JTR%|? Capita- i

lism and communism can go together. तो मैं यह जानना चाहता हूँ कि क्या यह सिद्धान्त श्री भूषेश गुप्त मानते हैं ?

श्री उपसभापति : यहां पर कम्युनिज्म के बारे में क्वास नहीं हो रहा है। इस समय तो इंग प्राइस के बारे में चर्चा हो रही है।

श्री राजनारायण : श्रीमन्, आपने श्री कृष्णकान्त को क्यों नहीं रोका ?

श्री उपसभापति : मैं सब को रोक रहा हूँ।

श्री राजनारायण : क्योंकि राजनारायण कमजोर है इसलिए जैसा आप चाहें करें।

श्री उपसभापति : क्या आप कमजोर हैं ? तो 'कमजोर कौन' इसकी परिभाषा को समझना पड़ेगा। अब आप बैठ जाइये।

MR. DEPUTY CHAIRMAN : Order, order, please. Do not interrupt.

(Interruptions)

SHRI A. P. CHATTERJEE ; ..... Mr. Kulkarni was saying that money was exchanged. He said that. Your Kulkarni said that money was exchanged. Why licences are given? ... (Interruptions.) Pull him up. ... Have you taken disciplinary action? ..... (Interruptions.)

MR. DEPUTY CHAIRMAN : Will you please sit down, Mr. Chatterjee ?

(Interruptions)

SHRI A. P. CHATTERJEE : He said that on the floor of the House.

SHRI SUNDAR SINGH BHANDARI : These people are making it inconvenient for the Minister to give a reply to my question. If that be the ca~se, I have no objection.

DR. TRIG UNA SEN : Sir, I believe, as my friend professes, in civil liberties. I believe, as others profess, in democracy. I do not like to paint everybody as a bad man.

I believe, as mentioned, a number of firms have advertised that they have not raised the prices of any drug. Some have

said, in totality they have reduced the prices of more than 1,100 drugs, that is, about 44% of the lists received so far.

SHRI SUNI AR SINGH BHANDARI : You go by the numbers or by the amount ?

DR. TRIGUNA SEN : I am telling the numbers of the medicines. Now, I am coming to that question. I say also that there is scope—we have got the power to enforce it—but at the same time, there is scope for negotiation. That is what I was wanting to explain, and in that regard I said that we had been getting the co-operation from the manufacturers also. I want to say, as I said before, that there are about 2,000 small-scale industries and by no stretch of imagination they are capitalists. Their capital is very small. As I said in reply to Shri Bhandari, you realise that it is so difficult to scrutinise the prices of all these 5,000 to 6,000 medicines. But, we have now identified, as I stated yesterday, the prices of the drugs that have gone up and are being used by everybody every day, and of some medicines like the anti-tubercular drugs, etc. We have identified and we think we will be able to do it within a very short time, to ask them to reduce the prices. If they do not, I have got the power to do so. We will ask them to reduce it. I am extremely sorry that for a few days in the interim period there is inconvenience for the consumers of those drugs. But, if we are working in a democratic way, can Mr. Bhandari suggest how else I can do it ? We have said, we are sorry for it.

SHRI SUNI AR SINGH BHANDARI : Could you not set up the machinery earlier ?

DR. TRIGUNA SEN : But, as we have said, unless we get their cost of production as they have notified, unless we get their data, how can we scrutinise ? They have notified only on the 30th and 31st of July. They did not do it earlier. That is why some time is needed. If you say that I could do it, I agree, I have the right to ask them to reduce the prices. But I have to study at least the names of the drugs where prices have gone up. As I said yesterday—we have already stated—we can immediately reduce it and I hope, Sir, it will not take more than a few days ..... as soon as possible.

SHRI SUNI AR SINGH BHANDARI : Come down.

DR. TRIGUNA SEN : We are working day and night, I can assure you.

THE LEADER OF THE OPPOSITION (SHRI S. N. MISHRA) : Sir, my first question is this : What is the concept or definition of 'reasonable prices' and whether this concept of reasonable prices has any relation to the international prices ? Unless we are quite clear in our minds about the concept of the Government so far as reasonable prices are concerned, we will not be able to give any suggestion to the Government in this regard and we would rather feel very much bewildered. Secondly, what are the reasons for the present increase in prices ? Now it does seem to me that the reasons advanced by the parties concerned are that the cost of manufacture has increased. It appears that the drug manufacturers have been given a certain range within which they can increase the prices or they can adjust the prices. Now certain prices are in vogue. Is there no obligation cast upon them to give the reasons to the Government before they increase the prices or to seek the approval of the Government for increasing the prices ? If there is no such obligation cast on them, then there must be that obligation, because it is a matter which relates to the lives of the millions of our countrymen. I am saying this because certain prices have been in vogue and now the prices have been raised from that level. So there must be some social obligation cast on them to seek the approval of the Government before they raise the prices. If there is no such obligation cast on them, I think the Government must equip itself with powers in that regard. Why the Government has failed in this respect, I am not able to understand.

Then, Sir, I would like to know this: If there is a rise in the cost of manufacture, to what extent this rise can be attributable to (a) the IDPL high cost, (b) canalisation through the State Trading Corporation and (c) inefficiency. I am a person who believes in State enterprises but not in inefficient State enterprises.

Lastly, Sir, may I know whether it is also due to inadequate import of drugs ? When there is a demand of a particular order, if you import less than the requirement, the prices are bound to rise. So, to what extent can the prices, Sir, be attributable to these three factors ? These are the three or four questions which I want the Minister to answer.

DR. TRIGUNA SEN : Sir, my friend first wanted to know the concept of 'reasonable prices'. It was said both in this House and outside that the cost of medicines in India is more than anywhere else.

[Dr. Triguna Sen]

in the world. I have also seen some reports that it is the costliest. About the concept of 'reasonableness' we have assumed that the manufacturer should not make any undue profit. Then the cost of production plus that reasonable profit for the maintenance and growth of the industry .....

SHRI S. N. MISHRA : What is that ?

DR. TRIGUNA SEN : We suggested to them that the maximum they can go is only up to 15 per cent, before taxation. But if that raises the cost of any drug, we have got the right to ask them to reduce it; they will have to prove that they cannot make more than 15 per cent, before taxation as profit. If they make any profit more than 15 per cent., they are not allowed to spend that money by way of dividends, bonus, etc.. The Government has the right—if you read the order—to say how that amount should be spent, either on research or in further reduction of the prices. That is what is reasonable.

SHRI S. N. MISHRA : Cost of manufacture can be anything ?

DR. TRIGUNA SEN : No. they will have to produce to us the cost, according to the Cost Accountants, and we have made a formula. We are going into the question of production of each and every formulation.

SHRI S. N. MISHRA : You must have some criterion.

DR. TRIGUNA SEN : We have made a norm so far as the boxes, tubes, etc. We have taken all this into consideration. The second question was, what is the obligation ? Naturally the obligation is the social objective—to serve the suffering humanity without making much of profit and as we said, by limitation of that.

SHRI S. N. MISHRA : My point was that before raising the prices, is there no obligation, cast on them to seek the approval of the Government ? Because certain prices have been in vogue and now the consumer has to pay more, I ask this.

DR. TRIGUNA SEN : The Government has not approved the price of any of the drugs that has been announced by them.

SHRI S. N. MISHRA : Is there no obligation cast on them to seek the approval of the Governments before raising the prices? We, as a community, have to pay more. We had been paying till the other day price

A and now we have to pay A plus. Why should I be made to pay more before the Government approved it ? Should not any obligation be cast on them before raising the prices which were, supposed to be reasonable earlier ?

DR. TRIGUNA SEN : I mentioned in answer to Mr. Bhandari's question that the manufacturers are to have the price of each and every drug approved by the Government but as there are thousands of drugs, we said that it was not possible to do it within the time-limit. We allowed them to declare it and we took time to scrutinise and send our approval. I do understand it.

SHRI S. N. MISHRA : Would you agree to a legal obligation being cast on them to raise the prices only after they had secured your approval. That is precisely the question.

DR. TRIGUNA SEN : Legal obligation ?

SHRI S. N. MISHRA : Yes, to seek your approval before raising the prices.

DR. TRIGUNA SEN : I think they have a legal obligation to have the cost or the price approved by the Government, according to the order.

SHRI A. P. CHATTERJEE : That is not your statement.

SHRI S. N. MISHRA : That is not your statement.

SHRI N. G. GORAY (Maharashtra) : I will try to help in this by pointing out something. I am quoting from 'The Times of India'. Codopyrin, per tablet, costs instead of seven paise, now thirteen paise. If I have understood him correctly, Shri Mishra was asking whether there was any legal obligation on this particular manufacturer to take your consent before he could raise this price from seven paise to thirteen paise.

SHRI A. P. CHATTERJEE : As far as your statement is concerned, you have said that if the revised prices, as fixed by the industry, show some anomalies, then only you can take corrective action but as far as the other things are concerned, you have said that the Government are taking further powers, to fix the prices at reasonable levels of any formulation. That is an admission that at present under the Drug Control Order, you have not those further powers. You kindly admit that.

The order does not give you any power to take corrective action now. You may take further powers. That is a different issue. As far as Mr. Mishra's question is concerned the position is that they can now raise the price without your being empowered by anything to stop. That is your stale lent.

DR. TRIGUNA SEN : I think it is correct. This statement says:

"They are also taking further powers to fix the prices at a reasonable level of any fluctuations."

You are correct. It is correct, Sir.

SHRI A. I CHATTERJEE : There was no legal bading.

SHRI S. N. MISHRA : Would you think on this line ?

DR. TRIGUNA SEN : We have already asked the Law Ministry to draft it.

Then, Sir, he has asked about the prices of the IDPL, canalisation through the State Trading Corporation, inadequate imports and the reasons for the rise in prices. Am I correct ?

SHRI S. N. MISHRA : And to what extent the rise in prices has been ?

DR. TRIGUNA SEN : I have made it clear in my Statement also, Sir, that, if we want to produce the medicines indigenously, naturally we will have to pay for it, not of course—I agree fully with you—at the cost of inefficiency, or at the cost of disproportionate profits—in manufacturing the basic drugs.

Now coming to the IDPL, I shall read this out to you. Let me take Streptomycin. The cost of production of the IDPL is Rs. 46; we have fixed the pool price at Rs. 95, knowing fully well that the IDPL will still run at a loss. Then I come to Tetracycline. The cost of production of the IDPL is Rs. 820, but we have fixed Rs. 650 knowing fully well that there will be a further loss to the IDPL. Similar is the case, Sir, with Phenobarbitone. The cost price is Rs. 186.57 and we have fixed the price of Rs. 170. Let me take one more case, Vitamin B1. The cost of the IDPL is Rs. 442.71 whereas we have fixed the pool price at Rs. 382. So I have slashed down even the prices of the IDPL knowing fully well that it has been incurring losses and it may incur

further losses. But we cannot raise the prices lest the prices of the drugs also should go up. After all, these are basic drugs...

SHRI S. N. MISHRA : But how do you make it economic ?

DR. TRIGUNA SEN : We are trying to streamline the operations...

SHRI S. N. MISHRA : Unless there is economy of scale how can you make it economic ?

DR. TRIGUNA SEN : We are trying to do it. We are trying to rationalise and streamline the operations, and in many ways we are working on it. There is a research group also working on it to find out how to improve upon its production.

SHRI SUNDAR SINGH BHANDARI : May I know whether the cost of inefficiency had also been included in the price and whether that is the amount which has been reduced now ?

DR. TRIGUNA SEN : I have not calculated that cost, and it is not possible. I have done it, to be frank, arbitrarily only to reduce the prices.

Now about this canalisation through the STC, we had one discussion and we are having another discussion day after tomorrow. I do not believe that there is inefficiency in the STC although you said that there is but complaints have been received by me that there is sometimes delay in the supply of raw materials by the STC. So I am meeting them next week and I shall see that it is minimised.

Then the third point he raised was about the inadequacy of import of raw materials. It is not correct.

SHRI N. G. GORAY : Sir, I am constrained to say that the industrialists have proved cleverer than the Government this time also. Sir, we have been experimenting with these controlled prices for a long time, and we know that every time we try to control the price, either the thing disappears, goes underground, or the Government has to adjust itself to the demands of the industrialists. Sir, did not the Government understand this simple strategy ? Here, Sir, what has been happening is that, while they have reduced the prices of certain drugs, they have increased the prices of those drugs which are in common use. Sir, here is a list from which I have read about the Codopyrine. The price of a Saridon tablet has been raised from 13 Paise to 20 Paise.

DR. TRIGUNA SEN : I have admitted it.

SHRI N. G. GORAY : In some cases the prices have gone up by 100% . Now could you not imagine that this is exactly what these people will do ? They would raise the prices of drugs that are in common use while for certain drugs they would bring down the prices. Now, if you had understood this simple strategy, you would have armed yourself with some legal authority, and exactly there what Mr. Mishra asked becomes very pertinent. Now you are left high and dry and you are running after them to catch them. So we want to know how long this will continue because, by that time, they would have made lakhs of rupees of profit.

SHRI S. N. MISHRA : Crores of rupees.

SHRI N. G. GORAY : I just came from Bombay, and in Bombay the rumour is that particularly the CIBA Company made exorbitant profits on these simple drugs I mentioned earlier. Therefore I would like to ask you why you could not anticipate this strategy of the industrialists before.

SHRI SUNDAR SINGH BHANDARI : They did not refer to the Prime Minister who is the sole custodian of intelligence; that is the whole thing.

DR. TRIGUNA SEN : It is not a question of anticipation because.....

SHRI N. G. GORAY : That is what they have been doing all these 20 years.

DR. TRIGUNA SEN : Did we try to reduce the price before ?

SHRI N. G. GORAY : Control the price.

DR. TRIGUNA SEN : We have not controlled; we have just frozen the prices.

SHRI BANKA BEHARY DAS (Orissa) : You were so much involved in the complicated affairs that you forgot the simple strategy.

DR. TRIGUNA SEN : When we referred the whole matter to the Tariff Commission, the Tariff Commission recommended a reduction of prices of only 18 basic drugs. We thought taking this opportunity we must control all the drugs, 5,000 or 6,000 formulations, in the country and so we framed certain regulations and we expected that according to this formula the prices will not show any rise. Now we have found out that the prices of some of the day-to-day drugs have gone up.

I have said in my statement that we have seen that it has gone up. I have admitted it and I have also mentioned the names of the drugs. I have also said that I am taking the necessary powers to correct it. It is correct that we did not anticipate this.

SHRI N. G. GORAY : When will you arm yourself with powers ?

DR. TRIGUNA SEN : Very soon ; within a few days.

SHRI KRISHAN KANT : This statement of the Minister is not correct in the sense that it is written here that prices of anti-diabetic drugs and drugs used for heart ailments have also registered a fall. Probably he has put in the statement everything which the manufacturers have given them. The anti-diabetic drug has gone up. I have got a price list here which shows that the price of insulin has increased from Rs. 469 to Rs. 510. This means that the statement which the hon. Minister has made based probably on the information supplied by the Drug manufacturers is not correct. So also the prices of many more drugs must have risen than what has been given in the statement. May I know whether he will check it up ?

Secondly, the hon. Minister has told us that they are going in for a new law. Because Parliament is in session they cannot have an Ordinance. Is it not possible...

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI D. R. CHAVAN) : Under the Essential Commodities Act we can issue an order.

SHRI KRISHAN KANT : Can't you issue an order that only the prices that were there before 31st July should be charged, freezing the prices at that level and that the extra amounts charged by these manufacturers during the few days when they have been increased shall have to be refunded either to the Government or the people or others ? Further the second instalment by the small manufacturers is coming up on 31st August, 1970 and what steps is the Government taking to see that they do not come forward with another dose of increase higher than what is being charged now ? They have said that they have still faith, they will talk to them and rely on the good sense of the drug manufacturers, talk to them and then come to certain conclusions. As Mr. Bhandari has said, may I know through

you, Mr. Deputy Chairman, whether they have still any faith in these people? They are hoodwinking the Government, they are hoodwinking the people and are making a lot of profit! and still you are thinking of talking to them, come to certain conclusions and then issue orders. May I know instead of relying on them whether the Government will take immediate action to see that the prices are frozen and the profits made by them taken back and also that the price are not allowed to increase through the second instalment which is coming up on the 31st August, 1970?

DR. TRIGUNA SEN : My hon. friend has said that there are some more drugs which I did not mention and they have also registered an increase. We have collected a list of all the drugs, the prices of which have gone up.

SHRI N. C. GORAY : How many of them are there?

DR. TRIGUNA SEN : We have made a complete list of it. It comes to 114 or something like that.

SHRI N. G. GORAY : That covers the entire list of drugs.

DR. BHAI MAHAVIR (Delhi) : He mentioned some specific drugs. What happened to them?

DR. TRIGUNA SEN : Yes, it is there. Insulin is there. The next question is about the issue of an order, and my faith in the industry. I did not say that I will only negotiate with the industry. I said, I would talk to the industry also and ask them to reduce the price. At the same time, as I have said in reply to the question of my esteemed friend, Mr. Bhandari, we are armed with the authority to issue an order to see that the prices of the day-to-day medicines are not raised.

SHRI SUNIL AR SINGH BHANDARI : You take advantage of Ordinances for so many things.

DR. TRIGUNA SEN : It is not necessary to issue an Ordinance. Just an order, a legal order will do.

SHRI SUNIL AR SINGH BHANDARI : Why do you not do it?

DR. TRIGUNA SEN : It has legal implications. I am ignorant of the legality of it, but we are having this legal order drafted.

SHRI N. G. GORAY : The Minister is full of good intentions.

DR. TRIGUNA SEN : About the small-scale sector drugs, we have already informed them that they will not be able to raise the prices of drugs.

SHRI NIREN GHOSH : The hon. Minister, Dr. Triguna Sen, has evaded Mr. Krishan Kant's question.

DR. TRIGUNA SEN : Which one?

SHRI NIREN GHOSH : The question is this. Why do you not issue an order here and now? Before you ask the companies for a reduction of prices, you issue an order saying that they must bring down the prices to what were ruling before they were raised higher. That is one thing. (Interruptions). Secondly, I would like to know the landed cost of the imported drugs. The pooled price is two or three times higher than the landed cost of imported drugs. If that be so, what is the basis of your cost accountancy? You just now read out that for that drug the cost is Rs. 400, for this drug it is Rs. 600, etc. On what basis? When the imported cost or the landed cost of the imported drug is only Rs. 100, you said the cost of manufacturing it in India is Rs. 600. How much profit of the pharmaceutical industry under foreign collaboration is going out? Have you calculated the profits which they have made, the cost in foreign exchange if we have imported? The imported cost is Rs. 100 and the cost of manufacture is Rs. 600 and you say that the pooled price is Rs. 300.

The drug's imported cost is Rs. 100 and the pool price is Rs. 300. This is a sort of jungle.

MR. DEPUTY CHAIRMAN : What is the question?

SHRI NIREN GHOSH : I want the Minister to say on the floor of the House in Parliament here and now that he will issue an order just as he issued an order for the reduction of prices of certain drugs, so that you bring down the price to where it was ruling before it was raised high. Why do you prevaricate on that issue, equivocate on that issue? The more you equivocate, the more you are giving them crores of rupees. That is the pertinent question.

DR. TRIGUNA SEN : I explained many a time perhaps that we are going to issue an order.



श्री राजनारायण : कोई समझ नहीं पा रहा है ।

एक माननीय सदस्य : समझने वाले सब चले गए ।

DR. TRIGUNA SEN : i am not a lawyer like you. That is my difficulty. We are issuing an order as soon as possible. We have contacted the Ministry of Law to draft that. He has asked about the landed cost and the pool price. Firstly, I think you will agree that we should not depend on the importation of drugs for all times to come. We must produce the drugs in our country.

SHRI NIREN GHOSH : You are not producing.

DR. TRIGUNA SEN : We are also producing. Now the imported price does not show the price at which this particular drug is sold in their own country. You know the imported prices are always less than the prices prevalent in the country itself.

SHRI NJREN GHOSH : Give us the figures.

DR. TRIGUNA SEN : I have got the figures. As I said, Streptomycin's landed cost is Rs. 365.16; indigenous price, as I said, by the IDPL is Rs. 446; we have fixed it at Rs. 295.

MR. DEPUTY CHAIRMAN : You have already quoted those figures.

SHRI NIREN GHOSH : I can give you a list of landed costs and pool prices showing 200 per cent difference.

DR. TRIGUNA SEN : I have got the whole list. It is but natural that the pool price will be more than the imported price. As I explained to you, the imported price is not the same as the price at which it is being sold in their own country. Whenever you manufacture in your own country, you will have to pay for it. That is why I said for the pool price we have taken a mean of the manufactured price in the country and the imported price. We have asked the manufacturers that they will have to see that they run it efficiently. We will not allow them to make a profit in the basic drugs manufacture.

SHRI NIREN GHOSH : Are you sure that the manufacturers have not given you false figures as regards the cost ?

DR. TRIGUNA SEN : We have now got a Bureau of Costing and they are calculating each and every item. We have referred to them to find out what is the actual cost of manufacture. These are the two things. As I said, we will be issuing an order.

श्री राजनारायण : श्रीमन्, हमारा सीधा सा सवाल है। हमने मंत्री जी को बता भी दिया था कि दो रुपये की 12 हमको बैरित की टेब्लेट्स मिली लम्बनऊ में 6 दिन पहले जो पहले एक रुपये की मिल जाती थी। अब मैं जानना चाहूंगा कि जो हमको अधिक पैसा देना पड़ रहा है, उसका अपराधी कौन है ?

डा० त्रिगुण सेन : मैं हूँ ।

श्री राजनारायण : तो आप सफर करो, इस्तीफा दो। जब, श्रीमन्, आपने सवाल पुछवा दिया तो हमने कहा ठीक से ही कर दें। मंत्री महोदय ने यह कह दिया कि वे अपराधी हैं तो यदि मैं इस सरकार की निन्दा न करूँ कि इसने दवा के मामले में बंगलिया की तो हम अपराधी हैं। इसलिए अब हमारा प्रस्ताव आ गया कि यह सदन सरकार ने दवा की कीमतों के सम्बन्ध में जो अब तक बंगलिया कर रखी है, उसके लिए सरकार की भत्ताना करता है। यह मूब कर रहा हूँ।

श्री सुन्दर सिंह भंडारी : मैं इसका समर्थन करता हूँ ।

श्री राजनारायण : यह हमारा प्रस्ताव आये। आप यह कैसे कहते हैं कि प्रस्ताव मूब नहीं कर सकते ? अब मैं इस की आठवीं कलम पढ़ रहा हूँ। वह इस प्रकार है : 'जबकि हमारे मूल्य नियंत्रण आर्डर की योजना के अन्तर्गत कुछ पदार्थों में मूल्य वृद्धि अवश्यम्भावी है सरकार यह देखने के लिए चिन्तित है कि कुछ नाजुक दवाइयों जैसे रूढ़ एण्टी टो० बी० भेपत्र, विटामिन युक्त दवाइयों, पीड़ा निवारक भेषज तथा दूसरे साधारण प्रयोग में आने वाली घरेलू दवाइयों में मूल्य वृद्धि न हो। अब तक प्राप्त की गयी मूल्य सूचियों के प्रारम्भिक परीक्षण दर्शाता है कि निर्माताओं के बीच में, ऐसा लगता है कि यह गलत धारणा है कि मूल्य नियंत्रण आदेश उन्हें अधिकार देता है कि वे अपनी कीमतों को फैक्टरी मूल्य से 150 प्रतिशत अधिक तक या कुछ केंसों में इससे भी उंचे मार्क अप पर निर्धारित कर सकते हैं और अपने लाभ को 15 प्रतिशत तक की सीमा

तक ले जा सकते हैं ?' यह श्वेत धारणा है, यह उनके आर्डर की आत्मा है, क्या यह मैं जानना चाहता हूँ।

श्री उपसभापति : ठीक है, जान लीजिए।

श्री राजनारायण : आखिर सरकार के आर्डर की आत्मा क्या है ? यह 15 फीसदी या 150 फीसदी। यह दो चीजें कहाँ से आ गयीं। सरकार कहती है कि उनके अन्दर यह भ्रम हो गया कि वे अपने सम्पूर्ण मुनाफे को 15 फीसदी तक ले जायें और विभिन्न दवाइयों को 150 प्रतिशत तक की उंची कीमत या उससे भी उंची कीमत निर्धारित कर दें। मैंने भी यही समझा था जो दवाइयों के निर्माता समझे हैं और मैं आपको यह बताना चाहता हूँ कि सरकार का यह जाल बट्टा है। जहाँ तक त्रिगुण सेन जी का ताल्लुक है यह तो भले आदमी हैं, सीधे सादे, उनको छल कपट से मतलब नहीं। यहाँ पर एक आर्डर हुआ दवा मंत्री का और एक बयान आता है उद्योग मंत्री का, फखरुद्दीन अली साहब का, दवा मंत्री ने कहा कि 15 फीसदी से ज्यादा कीमते नहीं बढ़ेंगी और फखरुद्दीन अली अहमद साहब का रेडियो ब्राडकास्ट हो गया कि नहीं, किसी भी उद्योग में इतना हार्ड और फास्ट रूल नहीं लगाया जा सकता और क्या यह सही है कि इसके बाद अखबारों में यह छपा और मैं कहता हूँ कि अब सरकार ने यह कह दिया है कि 150 फीसदी तक दाम बढ़ाया जा सकता है और सरकार ने कुछ स्थिति में अधिकार ले लिया कि इन तमाम बातों की जाँच पड़ताल कर के वह दाम बढ़ाने की इजाजत दे देगी। तो यह दोनों कंट्रिब्यूशन जो सरकार के ब्यानों में आये हैं उनका क्या जवाब है और हमको ज्यादा कीमत क्यों देनी पड़ रही है और क्या हमारे त्रिगुणसेन जी इसको पसंद करेंगे कि आज के दो महीने पहले जितनी कीमत थी, अगर उससे ज़्यादा कीमत दूकानें लें तो जनता उनको लूट ले और उन दवाइयों को लूट कर वितरित कर दे और त्रिगुण सेन जी उसमें कोई मुकदमा न चलने दें ?

DR. TRIGUNA SEN : Firstly, I want to assure my friend that it is not bungling and secondly, I do not agree that we are encouraging looting of the drugs. You will find that we have never said that any drug manufacturer can have the 150 per

cent mark-up without the consent of the Government, without our approval.

SHRI SUNDAR SINGH BHANDARI : But the consent is not coming.

DR. TRIGUNA SEN : That is my point. The question is, we find now that they have put it up by 150 per cent, and even more than that, without our approval.

श्री राजनारायण : श्रीमन्, जो कंट्रिब्यूशन है इसका अर्थ वह हमको समझा दें। 15 फीसदी मुनाफा और 150 फीसदी ज्यादा दाम, यह दोनों की असंगति है। इसमें वह फंस गये हैं।

DR. TRIGUNA SEN : They cannot do it without the approval of the Government itself.

श्री राजनारायण : तो गवर्नमेन्ट क्यों इसको अप्रूव करे ? यह दो बयान करने की जरूरत क्या पड़ गयी ? यह तो मैं समझ सकता हूँ कि 15 या 20 फीसदी से ज्यादा वे नहीं ले सकते, लेकिन उसमें यह 150 फीसदी की बात कहाँ से आ गयी। सरकार खुद अपने आर्डर में फंस गयी है। आपके अनुसार वे लागत से 50 फीसदी ज्यादा दाम निर्धारित कर सकते हैं। तो मैं जानना चाहता हूँ कि यह दो आर्डर क्यों हैं ?

7 P. M.

डा० त्रिगुण सेन : यह बात ठीक नहीं है। आप जो बोले हैं कि 150 मार्क-अप होने से धड़ाधड़ दाम बढ़ जायेंगे वह बात ठीक नहीं है। We have seen that many drugs had the mark-up of 700, 800 or even 1,000. Now they have reduced it. When we have said . . .

श्री राजनारायण : आप रिड्यूस कर सकते हैं, लेकिन सरकार का आर्डर यह है नहीं।

डा० त्रिगुण सेन : आर्डर यह है, देखिये क्या इसमें लिखा है :

"With the approval of the Government in special cases."

श्री राजनारायण : मान लीजिये कि गवर्नमेन्ट अपने पास अधिकार ले रही है कि अगर सरकार चाहे तो पचास फीसदी तक मुनाफा लेने दे, अमर्यादित मुनाफा करने की बात कर रहे हैं, तो गवर्नमेन्ट खुद इतना अधिकार क्यों ले जिससे कि इसमें सारा जाल-बट्टा हो सके।

[श्री राजनारायण]

गवर्नमेंट खुद अपने पास इतना अधिकार लेना चाहती है कि गवर्नमेंट किसी कारणवश या दवाओं के निर्माताओं की इच्छानुसार दाम तय करती रहे। गवर्नमेंट डेफिनिट क्यों नहीं होती कि यह अधिकार क्यों लेती है। मैंने बार-बार सदन में कहा है कि जो आवश्यक पदार्थ हों उनको लागत के डेढ़ गुने के अन्दर बेचा जाय, इससे अधिक में न बिकें, उसमें सरकारी टैक्स भी हो, उसमें ही एक्साइज ड्यूटी भी हो, आने जाने का किराया सब शामिल हो। इसलिये मैं जानना चाहता हूँ कि यह अधिकार क्यों है ?

श्री उपसभापति काफी हो गया अब ।

श्री राजनारायण : काफी कहाँ हो गया, चाय भी नहीं हुई है ।

श्री उपसभापति : डा० सेन, आपको कुछ जवाब देना है ।

DR. TRIGUNA SEN : No, Sir. I have explained that.

श्री राजनारायण : श्रीमन, हमारा प्रस्ताव लीजिये । You cannot adjourn the House at this stage.

MR. DEPUTY CHAIRMAN : The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at two minutes past seven of the clock till eleven of the clock on Thursday, the 13th August, 1970.