(c) whether Government has any proposal to create more senior level technical posts to help pharmaceutical industry meet the challenges; and

(d) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) The following technical posts are lying vacant in the Department of Pharmaceuticals of the Ministry:

Sl.No.	Name of the posts	Sanctioned strength	In-position	Vacancy
1	Additional Industrial Advisor	1	0	1
2	Deputy Industrial Advisor	3	1	2
3	Assistant Industrial Advisor	1	0	1

(b) No, Sir.

(c) and (d) Yes, Sir. There is a proposal to create senior level technical posts to help pharmaceutical industry to meet the challenges. The Department is preparing a proposal to create posts of the level of Joint Secretary, Director, Deputy Secretary and other technical posts. The details are being worked out.

Benefits to doctors by drug manufacturing companies

†4694. SHRI RAVI SHANKAR PRASAD:
SHRI SHIVANAND TIWARI:

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

(a) whether it is a fact that the drug manufacturing companies in the country extend benefits to doctors etc. to promote sale of their drugs;

(b) if so, Government's reaction thereto;

(c) whether Government had taken a decision to stop this system; and

(d) if so, the action taken in this direction, so far?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) to (d) There were some reports in the newspapers in the recent past regarding promotional expenses being made by the Pharma Companies. The reports suggested that some unethical marketing practices are being followed by certain pharma companies. Keeping in view the seriousness of the allegations made in the media reports, this Department felt the need to take

†Original notice of the question was received in Hindi.

up the matter in the interest of the consumers/patients as such promotional expenses being extended to doctors had direct implications on the pricing of drugs and its affordability. After discussing the issues with the Pharma Associations/ Industry, this Department has prepared a draft 'Uniform Code of Pharmaceutical Marketing Practices' (UCPMP) which is to be adopted voluntarily in the first instance. The UCPMP was put up on the Department's website www.pharmaceuticals.gov.in for inviting the comments from all the stakeholders. The comments received were examined and draft UCPMP has been prepared and circulated to the pharma association for their comments.

Over pricing of scheduled drugs

4695. SHRI UPENDRA KUSHWAHA: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether prices of scheduled drugs are not fixed by manufacturers as per the formula prescribed by Central Government and they charge excess amount from customers;

(b) if so, the action taken by Government in this regard;

(c) the steps taken to recover the excess amount charged by manufacturers of such pharmaceutical products; and

(d) the measures taken by NPPA to review all cases of prices of pharmaceutical products where 'Maximum Allowable Post Manufacturing Expenses (MAPE)' was required to be restricted to the prescribed cap?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI SRIKANT JENA): (a) and (b) National Pharmaceutical Pricing Authority (NPPA) fixes or revises prices of scheduled drugs/formulations as per the provisions of the Drugs (Prices Control) Order, 1995 (DPC0, 1995). No one can sell any scheduled drug/formulation at a price higher than the price fixed by NPPA. A number of drug companies have been found selling medicines at a higher price to consumers. In such cases, NPPA initiates action of overcharging against the companies as per the provisions of the DPCO, 95.

(c) Based on detection of overcharging cases since its inception in August, 1997 and till April, 2012, NPPA has issued demand notices in 829 no. of cases involving an amount of Rs. 2462.28 crore (overcharging along with interest) for selling the medicines at a price higher than the prices fixed under DPCO, 1995. Of this, Rs. 231.78 crore has been realized till April, 2012 ieaving a balance of Rs. 2230.50 crore to be realized. Out of this, an amount of Rs. 2142.73 crore is under litigation & pending in various courts, Rs. 19.56 crore is pending for recovery with Collectors of various States and the balance amount is under process.