

Government of Andhra Pradesh in the matter and with the support extended to it by the countries like Australia, The Netherlands, Philippines, China, Iran, etc. the proposal has been dropped.

Overcharging of Amount

1879. SHRI RAMADHAR KASHYAP:
SHRI ABANI ROY:

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

(a) whether according to the recent judgement of the Supreme Court, the drug manufacturers have been asked to pay 50 per cent of their total liabilities for overcharging the bulk drug prices *vis-a-vis* notified price of the Government of India;

(b) if so, names of the drug manufacturers/firms and their liabilities involved on the basis of Supreme Court judgement;

(c) the names of parties who have deposited their liabilities and the names of the defaulters as on 31st November, 2003; and

(d) what action Government have taken or propose to take against those companies who have not deposited their liabilities despite Supreme Court judgement?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHHATTRA PAL SINGH): (a) to (d) In its order dated 1.8.2003 the Honourable Supreme Court has stated, *inter alia*, that "We also consider it just and proper to give liberty to the appellant and the concerned statutory authorities to recover 50% of the 'overcharged' amounts pending fresh determination by the High Court. Accordingly, we direct stay of recovery of 50% of the 'overcharged' amount subject to the payment of remaining 50% within the period of four weeks from the date of communication of the amount payable by each of the writ petitioners."

In September, 2003 the National Pharmaceutical Pricing Authority (NPPA) have issued notices to the following companies for recovery of 50% of the overcharged amount in respect of the bulk drugs shown against each for the period upto June, 2000:—

[19 December, 2003]

RAJYA SABHA

| Sl. No. | Name of the Bulk Drug | Name of the Company | 50% of Overcharged amount to be recovered as per the Supreme Court Order dated 1.8.2003 (Rs.) |
|---------|-----------------------|------------------------|---|
| 1. | Salbutamol | M/s USV Ltd. | 7,07,752 |
| 2. | Cloxacilin | M/s Okasa Ltd. | 2,37,08,931 |
| 3. | Cloxacilin | M/s Okasa Pharma Ltd. | 91,05,089 |
| 4. | Theophylline | M/s. Okasa Pharma Ltd. | 45,81,155 |
| 5. | Norfloxacin | M/s Ranbaxy Ltd. | 94,03,039 |
| 6. | Cloxacillin | M/s Ranbaxy Ltd. | 99,81,354 |
| 7. | Ciprofloxacin | M/s Ranbaxy Ltd. | 23,47,00,748 |
| 8. | Salbutamol | M/s Cipla Ltd. | 39,81,15,194 |
| 9. | Ciprofloxacin | M/s Cipla Ltd. | 21,08,39,457 |
| 10. | Cloxacillin | M/s Cipla Ltd. | 4,77,69,384 |
| 11. | Norfloxacin | M/s Cipla Ltd. | 37,42,16,445 |

In November, 2003 the National Pharmaceutical Pricing Authority (NPPA) have issued notices to the following companies for recovery of 50% of the overcharged amount in respect of the bulk drugs shown against each for the period from July, 2000 to July, 2003.

| Sl.No. | Name of the Bulk Drug | Name of the Company | 50% of Overcharged amount to be recovered as per the Supreme Court Order dated 1.8.2003 (Rs.) |
|--------|-----------------------|-----------------------|---|
| 1. | Norfloxacin | M/s Ranbaxy Ltd. | 8,080,942 |
| 2. | Cloxacillin | M/s Ranbaxy Ltd. | 7,99,685 |
| 3. | Norfloxacin | M/s Cipla Ltd. | 257,209,232 |
| 4. | Ciprofloxacin | M/s Cipla Ltd. | 239,558,166 |
| 5. | Salbutamol | M/s Cipla Ltd. | 270,810,727 |
| 6. | Theophylline | M/s Okasa Pharma Ltd. | 5,894,815 |
| 7. | Cloxacillin | M/s Okasa Pvt.. Ltd. | 119,262,500 |

M/s Ranbaxy Labs has deposited Rs. 23,47,00,748/- (Rupees Twenty Three Crores Forty Seven Lakhs Seven Hundred Forty Eight only) being the 50% of the overcharged amount in the sale of Ciprofloxacin based formulations for the period upto June, 2000.

Appropriate measures as per law will be taken against the defaulters.