

**No. 31015/106/2017-Pricing
GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS & FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS**

.....

**A- Wing, Shastri Bhawan,
New Delhi 110 001**

Date: 9th July, 2018

Office Memorandum

The undersigned is directed to refer to review application, dated 20.12.2017 filed by M/s Sun Pharmaceutical Industries Limited under paragraph 31 of the Drugs (Prices Control) Order, 2013 against notification S.O. No.3728(E), dated 23.11.2017 issued by the National Pharmaceutical Pricing Authority fixing the ceiling price of Volitra Enzo Tablet.

2. NPPA implemented the Review Order No.31015/09/2017-Pricing, dated 27.08.2017 and fixed the retail price of Volitra Enzo tablet as Rs.14.50 per tablet against the earlier notified retail price of 14.44 per tablet. Therefore, upward revision was done while fixing the retail price of the subject formulation. However, the retail price was notified as Rs.13.91 per tablet as GST factor 0.95905 was applied due to exclusion of excise exemption on the formulations being used in manufacturing Volitra Enzo tablet. The revision of Volitra Enzo tablet was done by NPPA considering only those medicines / formulations having MAT value of more than 1% market share. Hence, this part of the Review Order, dated 27.08.2017 has been implemented by NPPA.

3. The applicant has contended that NPPA has not implemented the DoP's Review Order No.31015/09/2017-Pricing, dated 27.08.2017 in totality. The Applicant also contended that the terms "Scheduled formulation" in Table column No.2 and "Ceiling price" are still mentioned in table column No.5 of the notification. Even footnote (f) is also not removed from the notification.

4. The drug Volitra Enzo tablet is a new drug and therefore use of terms "scheduled formulation" and "ceiling price" and inclusion of Note (f) in price notification is not correct.

5. NPPA is, therefore, directed to remove the term "scheduled formulation" in Column (2) of the notification SO 3728(E), dated 23.11.2017 and replace with words "Name of the Formulation/Brand Name" and also term "Ceiling price" in Column No.5 to be replaced with words "Retail Price". Note (f) of the notification is also to be removed as the said note is applicable for ceiling price fixation of scheduled formulations.

This is issued with the approval of the competent authority.

(M.K. Bhardwaj)
Deputy Secretary

To

Member Secretary,
National Pharmaceutical Pricing Authority,
YMCA Cultural Centre Building,
1, Jai Singh Road,
New Delhi-110001.

Copy to :-

1. M/s. Sun Pharmaceutical Industries Limited, Sun House, Plot No.201 B/1, Western Express Highway, Goregaon (E), Mumbai-400063.
2. PSO to Secretary (Pharma), Shastri Bhawan, New Delhi for information.
3. T.D., NIC for uploading the order on Department's Website