

No.31015/03/2019-Pricing
GOVERNMENT OF INDIA
MINISTRY OF CHEMICALS & FERTILIZERS
DEPARTMENT OF PHARMACEUTICALS

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

Order

1. This is an order on a review application filed under paragraph 31 of the Drugs (Prices Control) Order, 2013 (hereinafter called the DPCO) by M/s Geltec Private Limited (hereinafter called the applicant) against the NPPA's letter No.F.No.19(1601)/2018/Div.II/NPPA, dated 04.01.2019 for price fixation of its formulations "Ibuprofen 400mg Soft Gelatin Capsules and Ibuprofen 200mg Soft Gelatin Capsules".

2. The applicant had applied for separate retail prices for its formulations Ibuprofen 400mg Soft Gelatin Capsules and Ibuprofen 200mg Soft Gelatin Capsules vide Form I dated 10.09.2018 under the provisions of Para 5 and 15 of the DPCO 2013. However, the NPPA did not fix the retail prices of the said formulations and directed the company to follow the ceiling price of Ibuprofen 400mg and 200mg hard gelatin capsules notified vide SO 1461(E), dated 02.04.2018. Having been aggrieved by the response of the NPPA, the applicant submitted the review application to the department for separate retail prices for its formulations.

3. As per the para 31 of the DPCO, any person aggrieved by any notification issued or order made under paragraph 4, 5 and 6 of the DPCO, may apply to the Government for a review of the notification or order. In the instant case, the applicant has filed review against the NPPA letter No 19(1601)/2018/Div II/NPPA which was merely a reply to the company against its Form I application. Filing of a review application against a letter is not as per the provisions laid down in the DPCO. Hence, the review application is liable to be rejected.

4. Accordingly, the review application is hereby rejected.

Issued on this, the 18th day of July, 2019.

(M.K. Bhardwaj)
Deputy Secretary
For and on behalf of the President of India

Copy to :-

1. M/s Geltec Private Limited, Capsulation Premises, Deonar, Sion-Trombay Road, Mumbai-400 088.
2. The Member Secretary, National Pharmaceutical Pricing Authority, YMCA Cultural Centre Building, New Delhi-110001.
3. PS to Hon'ble Minister(C&F), Shastri Bhawan, New Delhi for information.
4. PS to MoS(C&F), Shastri Bhawan, New Delhi for information.
5. PSO to Secretary(Pharma), Shastri Bhawan, New Delhi for information.
6. Joint Secretary(Pharma), Shastri Bhawan, New Delhi for information.
7. T.D., NIC for uploading the order on Department's Website.