

**GOVERNMENT OF INDIA
CHEMICALS AND FERTILIZERS
LOK SABHA**

UNSTARRED QUESTION NO:1153
ANSWERED ON:09.12.2003
DRUG PRICE CONTROL ORDER
BALIRAM

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

- (a) whether it is a fact that the Supreme Court has stayed the Drug Policy;
- (b) if so, the facts thereof;
- (c) whether it is also a fact that the Union Government has submitted a list of 354 drugs to be included in DPCO;
- (d) if so, the details thereof;
- (e) whether it is a fact that an NGO has requested the Government for the addition of 118 more medicines for the treatment of AIDS and Cancer to be included in the Controlled list;
- (f) if so, the details thereof alongwith the reasons therefor; and
- (g) the action being taken by the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS & FERTILIZERS (DR. CHHATTRA PAL SINGH)

(a) to (g): The Government announced the 'Pharmaceutical Policy 2002' in February 2002. However, a public interest litigation filed in the High Court of Karnataka at Bangalore resulted in an Order dated 12-11-02 which stopped the Government from implementing the price control regime of the Pharmaceutical Policy 2002. This Department filed a Special Leave Petition (SLP) before the Supreme Court of India against the Order of the Karnataka High Court, which has been admitted as SLP (C) No. 3668/2003. The Supreme Court vide its order dated 10.3.2003 directed the Government, inter alia, that, 'we suspend the operation of the order to the extent it directs that the Policy dated 15.2.2002 shall not be implemented. However, we direct that the petitioner shall consider and formulate appropriate criteria for ensuring essential and life saving drugs not to fall out of the price control and further directed to review drugs, which are essential and life saving in nature till 2nd May, 2003'. Ministry of Health and Family Welfare has brought out the National List of Essential Medicines, 2003 after the review of the National Essential Drugs List, 1996. All India Drug Action Network (AIDAN) has filed a Writ Petition No.423/2003 before the Supreme Court raising a number of issues relating to availability, rationality, pricing of drugs, health care system in the country etc. xxxxx