Drug (Prices Control) Order, 2013

S.O. 1221(E).– In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (10 of 1955), and supersession of the Drug (Prices Control) Order, 1995, except as respect to things done or omitted to be done before such supersession, the Central Government hereby makes the following Order, namely:-

1. Short title and commencement.– (1) This Order may be called the Drugs (Prices Control) Order, 2013.

(2) It shall come into force on the date of its publication in the Official Gazette.

Notification S.O. 1394(E) Dated 30th May, 2013-- In the exercise of the powers conferred by Section 3 and 5 of Essential Commodities Act, 1955, the Central Government hereby directs that **National Pharmaceutical Pricing Authority** , established vide Government of India in the Ministry of Chemicals and Fertilizers Resolution No. 33/7/97-PI-I dated the 29th August, 1997, published in Part 1, Section (1) of the Gazette of India Extraordinary , shall exercise the functions of the Central Government in respect of paragraphs **4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30 and 32** of the Drugs (Prices Control) Order , 2013.

Notification 528 (E) Dated 15th February, 2016 - The Central Government, In exercise of the powers conferred by sections 3 and 5 of the Essential Commodities Act, 1955 (10 of 1955) has directed that **National Pharmaceutical Pricing Authority** shall also exercise the functions of the Central Government in respect of sub-paragraph (1) of paragraph **22** of the Drugs (Prices Control) Order, 2013 in addition to the functions specified in the Order of the Government of India, in the Ministry of Chemicals and Fertilizers number S.O. 1394 (E), dated the 30th May, 2013.

2. Definitions.– (1) In this Order, unless the context otherwise requires,–

(a) "Act" means the Essential Commodity Act, 1955 (10 of 1955);

DPCO, 2013 has been formed under the provisions of the Essential Commodities Act, 1995 and thus, wherever there is ambiguity regarding a terminology, comment, right, power, liability, or scope of the Order, it is always advised to visit the parent act.

(b) "active pharmaceutical ingredients or bulk drug" means any pharmaceutical, chemical, biological or plant product including its salts, esters, isomers, analogues and derivatives, conforming to standards specified in the Drugs and Cosmetics Act, 1940 (23 of 1940) and which is used as such or as an ingredient in any formulation;

Active Pharmaceutical Ingredients or Bulk Drugs are not explicitly defined in the Drugs and Cosmetics Act,1940. These terms are referred to multiple times indicating them as the raw material for manufacturing of formulation and form a part of the definition of 'Drug'.

(c) "brand" means a name, term, design, symbol, trademark or any other feature that identifies one seller's drug as distinct from those of other sellers;