

**MINUTES OF THE 13<sup>th</sup> MEETING OF THE APEX COMMITTEE HELD ON 15-04-2014 UNDER THE CHAIRMANSHIP OF SECRETARY, HEALTH AND FAMILY WELFARE FOR SUPERVISING CLINICAL TRIALS ON NEW CHEMICAL ENTITIES IN THE LIGHT OF DIRECTIONS OF THE HON'BLE SUPREME COURT OF INDIA DATED 03.01.2013.**

**Present:**

1. Shri Lov Verma,  
Secretary,  
Department of Health and Family Welfare.
2. Dr. V. M. Katoch  
Secretary, DHR & DG ICMR,  
New Delhi
3. Dr. Jagdish Prasad,  
Director General of Health Services,  
New Delhi
4. Dr. Arun K. Panda  
Joint Secretary,  
Ministry of Health & Family Welfare

**Special Invitee:**

1. Shri R.K. Jain  
Additional Secretary & DG (CGHS)  
Ministry of Health and Family Welfare  
(Special Invitee)
2. Dr. G.N. Singh  
DCG(I), FDA Bhavan, New Delhi  
(Special Invitee)

The minutes of the 12<sup>th</sup> Apex Committee meeting were placed before the Committee for adoption along with the Action Taken report. Thereafter, the Apex Committee was apprised about the agenda and outcome of the 13<sup>th</sup> meeting of the Technical Committee held on 27.03.14 under the Chairmanship of DGHS. The minutes

of the 13<sup>th</sup> meeting of Technical Committee were circulated to the members of the Apex Committee.

The details of the deliberations made by the Committee are as under:

- 1. To evaluate and decide on 22 proposals of Clinical Trials recommended by NDAC / IND and Technical Committee.**

The Apex Committee observed that the Technical Committee in its 13<sup>th</sup> meeting has evaluated 22 cases of fresh proposals of clinical trials keeping in view risk versus benefit to the patients, innovation *vis-a-vis* existing therapeutic option and unmet medical need in the country.

These cases were already recommended by the NDACs prior to placing it before Technical Committee. The lists of these cases are annexed as **Annexure I**.

The Apex Committee deliberated on the details of the proposals and agreed to the recommendations of the Technical Committee based on the Technical Committee's evaluation of risk versus benefit to the patients, innovation *vis-a-vis* existing therapeutic option and unmet medical need in the country which has cleared 21 out of 22 proposals. The minutes of the Technical Committee are annexed as **Annexure II**.

- 2. To discuss on the Hon'ble Supreme Court order wherein it has objected the evaluation of approval of 157 New Chemical Entities (NCEs)**

The Apex Committee noted that the Technical Committee in its 13<sup>th</sup> meeting has discussed about the following order of Hon'ble Supreme Court of India in the matter, which came up for hearing on 10.03.2014, in respect of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare & Ors. with WP(C) No. 779/2012.

"Mr. Sanjay Parekh, learned counsel for the petitioners in Writ Petition (Civil) No. 33 of 2012 has raised the grievance that three parameters, namely, (i) assessment of risk versus benefit to the patients, (ii) innovation vis-a-vis existing therapeutic option and (iii) unmet medical need in the country, indicated by this Court in the order dated 21.10.2013, have not been followed in letter and spirit in granting approval to 157 NCEs.

Mr. Siddharth Luthra, learned Additional Solicitor General, submits that in the affidavit which is to be filed by the Union of India, this aspect too shall be responded."

The matter was discussed vis-à-vis the minutes of the Technical Committee dated 27.03.14, which is as under:

The Technical Committee opined that these 157 proposals of clinical trials were earlier evaluated and deliberated by NDACs based on which clinical trial permissions were granted by DCGI. As per the order of the Hon'ble Supreme Court of India, dated 21.10.2013 in the matter of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare & Ors. with WP(C) No. 779/2012 regarding clinical trials, these proposals were forwarded to the Technical Committee as per the prescribed format decided by the Technical Committee. The format contains name of Drug including Chemical Name, Name of the Applicant, Therapeutic Category, Brief of Pre-Clinical Information, Brief of Clinical Information, Adverse effect if any known to be associated with the drug, Study Title, Study Design, Sample size, Investigators and Study sites details, Study Duration, Key Inclusion / Exclusion Criteria, Major Efficacy & Safety parameters to be evaluated, Name of participating countries in case of Global clinical trial, NDAC Recommendations, NDAC Members. The members of the Technical Committee are qualified and are highly experienced in the field of medicine, oncology, respiratory, Endocrinology & Metabolism, Cardiology etc. The members after having appropriate preliminary review of the proposals forwarded to them were called for further discussion in the Technical Committee meetings. The Technical Committee meetings were held on 28.11.13 and 15.01.14. The Technical Committee evaluated these proposals keeping in view all relevant aspects of safety and efficacy particularly in terms of assessment of risk versus benefit to the patients, innovation vis-a-vis existing therapeutic option and unmet medical need in the country. Further, the recommendations of the Technical Committee were placed before the Apex

Committee. The Apex Committee after deliberations on these 157 proposals of clinical trial also agreed to the recommendations of the Technical Committee.

The Technical Committee reiterated its earlier recommendations on these 157 Global clinical trials which were deliberated in its meetings held on 28.11.13 and 15.01.14.

The Apex Committee after deliberation agreed to the above recommendation as the Technical Committee evaluated the proposals with respect to risk versus benefit to the patients, innovation vis-a-vis existing therapeutic option and unmet medical need in the country.

The Apex Committee also deliberated on the Technical Committee views on NCE clinical trials in view of Hon'ble Supreme Court's order dated 03.01.2013 in the matter of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare & Ors. with WP(C) No. 779/2012 wherein the order states that :

"In the meanwhile, we record and accept the statement of Mr. Siddharth Luthra, learned Additional Solicitor General that until further order by this Court, clinical trials of new chemical entity shall be conducted strictly in accord with the procedure prescribed in Schedule 'Y' of Drugs & Cosmetics Act, 1940 under the direct supervision of the Secretary, Ministry of Health & Family Welfare, Government of India."

Hence, the Technical Committee in its meeting held on 27.03.14 has recommended that proposals of clinical trials of "New Chemical Entity" shall only be placed before the Technical Committee.

The Apex Committee opined to maintain status-quo in this regard.

The meeting ended with the vote of thanks to the Chair.

## ANNEXURE-I

Sr. No.	Drug	Names of the Applicant	Division
1.	NT 201	Siro Clinpharm	GCT
2.	Fluocinolone Acetonide Intravitreal Insert	Excel Life Sciences	GCT
3.	Ranibizumab	Novartis	GCT
4.	Cyclosporine	Aurobindo Pharma	GCT
5.	Algeron	Biocad	GCT
6.	Ifetroban	Max Neeman	GCT
7.	Masitinib Mesylate	Maya Clinicals	GCT
8.	Asenapine	Parexel	GCT
9.	Perampanel	PPD	GCT
10.	E2007 (perampanel)	PPD	GCT
11.	Biosimilar adalimumab (GP2017)	Novartis	GCT
12.	Recombinant Human Chorionic Gonadotrophin (r-hCG)	Bharat Serums And Vaccines Limited,	Biological (Recombinant)
13.	Rituximab	Dr. Reddy's Laboratories	Biological (Recombinant)
14.	Trastuzumab	Reliance Life Sciences	Biological (Recombinant)
15.	SmofKabiven Peripheral	Fresenius Kabi	FDC
16.	SmofKabiven	Fresenius Kabi	FDC
17.	Nadifloxacin 1% w/w Adapalene 0.1 % w/w Gel	Wockhardt Limited	FDC
18.	Tizanidine	Dr. Pratibha.D.Singhi,	Institutional
19.	Plerixafor (Mozobil) solution	Sanofi-Synthelabo (India) limited	NDA
20.	Retigabine	Hetero Labs Limited,	NDA
21.	Fenspiride Hydrochloride	Zuventus Healthcare Ltd	NDA
22.	Crofelemer	Glenmark Pharma	IND

ANNEXURE- II

MINUTES OF THE 13<sup>th</sup> MEETING OF TECHNICAL COMMITTEE HELD ON 27.03.2014 UNDER THE CHAIRMANSHIP OF DGHS FOR SUPERVISING CLINICAL TRIALS ON NEW CHEMICAL ENTITIES IN THE LIGHT OF DIRECTIONS OF THE HON'BLE SUPREME COURT OF INDIA ON 03.01.2013.

**Present:**

1. Dr. Jagdish Prasad,  
Director General of Health Services  
Chairman
2. Dr. Nandini Kumar,  
Former Dy. Director (Sr. Grade)  
National Institute of Epidemiology, ICMR, Delhi  
Member
3. Dr. Rajutitus Chacko,  
Prof. & Head, Dept. of Medical oncology,  
CMC, Vellore.  
Member
4. Dr. Ashok Kumar Das  
Director-Professor of Medicine & Medical  
Superintendent, JIPMER, Puducherry  
Member
5. Dr. P.K Dalal,  
HOD, Dept of Psychiatry, KGMU Medical College,  
Lucknow  
Member

**From CDSCO:**

1. Dr. G.N. Singh,  
Drugs Controller General (India)
2. Dr. V.G.Somani  
Joint Drugs Controller (India)
3. Sh. R.Chandrashekar  
Deputy Drugs Controller (India)
4. Mrs. A Vishala  
Deputy Drugs Controller (India)

Dr. Jagdish Prasad, DGHS welcomed the members and briefed them about the outcome of the 12th meeting of the Technical Committee which was held on 28.02.14. The minutes of the 12<sup>th</sup> meeting approved by the Chairman were already circulated to the members.

1. DCGI informed the Chairman about the following order of Hon'ble Supreme Court of India in the matter, which came for hearing on 10.03.2014, in respect of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare & Ors. with WP(C) No. 779/2012.

"Mr. Sanjay Parekh, learned counsel for the petitioners in Writ Petition (Civil) No. 33 of 2012 has raised the grievance that three parameters, namely, (i) assessment of risk versus benefit to the patients, (ii) innovation vis-a-vis existing therapeutic option and (iii) unmet medical need in the country, indicated by this Court in the order dated 21.10.2013, have not been followed in letter and spirit in granting approval to 157 NCEs.

Mr. Siddharth Luthra, learned Additional Solicitor General, submits that in the affidavit which is to be filed by the Union of India, this aspect too shall be responded."

It was discussed in detail by the Committee.

The Committee opined that these 157 proposals of clinical trials were earlier evaluated and deliberated by NDACs based on which clinical trial permissions were granted by DCGI. As per the order of the Hon'ble Supreme Court of India, dated 21.10.2013 in the matter of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare & Ors. with WP(C) No. 779/2012 regarding clinical trials, these proposals were forwarded to the Technical Committee as per the prescribed format decided by the committee. The format contains name of Drug including Chemical Name, Name of the Applicant, Therapeutic Category, Brief of Pre-Clinical Information, Brief of Clinical Information, Adverse effect if any known to be associated with the drug, Study Title, Study Design, Sample size, Investigators and Study sites details, Study Duration, Key Inclusion / Exclusion Criteria, Major Efficacy & Safety parameters to be

evaluated, Name of participating countries in case of Global clinical trial, NDAC Recommendations, NDAC Members. The members of the Technical Committee are qualified and are highly experienced in the field of medicine, oncology, respiratory, Endocrinology & Metabolism, Cardiology etc. The members after having appropriate preliminary review of the proposals forwarded to them were called for further discussion in the Technical Committee meetings. The meetings were held on 28.11.13 and 15.01.14. The committee evaluated these proposals keeping in view all relevant aspects of safety and efficacy particularly in terms of assessment of risk versus benefit to the patients, innovation vis-a-vis existing therapeutic option and unmet medical need in the country. Further, the recommendations of the Technical Committee were placed before the Apex Committee. The Apex Committee after deliberations on these 157 proposals of clinical trial also agreed to the recommendations of the Technical Committee.

The present Technical Committee reiterates it's earlier recommendations on these 157 proposals of Global clinical trial which were deliberated in it's meetings held on 28.11.13 and 15.01.14.

The Committee has also gone through the order of the Hon'ble Supreme Court of India, dated 03.01.2013 in the matter of W.P. (C) No. 33/2012 of Swasthya Adhikar Manch, Indore & Anr Vs. Ministry of Health and Family Welfare &Ors. with WP(C) No. 779/2012 wherein the order states that :

"In the meanwhile, we record and accept the statement of Mr. Siddharth Luthra, learned Additional Solicitor General that until further order by this Court, clinical trials of new chemical entity shall be conducted strictly in accord with the procedure prescribed in Schedule 'Y' of Drugs & Cosmetics Act, 1940 under the direct supervision of the Secretary, Ministry of Health & Family Welfare, Government of India."

Therefore, the Committee observed that the order is restricted only to conduct of trials of new chemical entities. Hence, the Committee has recommended that proposals of clinical trials of new chemical entity shall only be placed before the Committee.

2. The Technical Committee deliberated twenty two cases of fresh proposals of clinical trials. These cases have already been recommended by the NDACs. The Committee has assessed these proposals based on NDAC's assessment and their own assessment of various scientific and ethical parameters of the proposal specially with respect to risk versus benefit to the patients, innovation *vis-a-vis* existing therapeutic option and unmet medical need in the country. Out of these 22 proposals there were 4 cases of clinical trials of new drugs, 11 cases of Global Clinical trials and remaining were clinical trial proposals related to fixed dose combinations, biological and institutional trial. Detailed information on these proposals as per the prescribed format was forwarded to the members through e-mail. List of these proposals with recommendations of the Technical Committee including the above parameters is as under:

Sr. No.	Drug	Names of the Applicant	Parameters	Recommendations
1.	NT 201	Siro Clinpharm	risk versus benefit to the patients innovation <i>vis-a-vis</i> existing therapeutic option unmet medical need in the country	Committee evaluated and recommended for the study
2.	Fluocinolone Acetonide Intravitreal Insert	Excel Life Sciences	risk versus benefit to the patients innovation <i>vis-a-vis</i> existing therapeutic option unmet medical need in the country	Committee evaluated and recommended for the study
3.	Ranibizumab	Novartis	risk versus benefit to the patients innovation <i>vis-a-vis</i> existing therapeutic option unmet medical need in the country	Committee evaluated and recommended for the study
4.	Cyclosporine	Aurobindo Pharma	risk versus benefit to the patients	Committee evaluated and

				recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
5.	Algeron	Biocad	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
6.	Ifetroban	Max Neeman	risk versus benefit to the patients	Committee recommended to resubmit the proposal along with the opinion of Pharmacologist.
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
7.	Masitinib Mesylate	Maya Clinicals	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
8.	Asenapine	Parexel	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
9.	Perampanel	PPD	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
10	E2007 (perampanel)	PPD	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic	

			option	
			unmet medical need in the country	
11	Biosimilar adalimumab (GP2017)	Novartis	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
12	Recombinant Human Chorionic Gonadotrophin (r-hCG)	Bharat Serums And Vaccines Limited,	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
13	Rituximab	Dr. Reddy's Laboratories	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
14	Trastuzumab	Reliance Life Sciences	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
15	SmofKabiven Peripheral	Fresenius Kabi	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
16	SmofKabiven	Fresenius Kabi	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	

17	Nadifloxacin 1% w/w Adapalene 0.1 % w/w Gel	Wockhardt Limited	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
18	Tizanidine	Dr. Pratibha.D.Singhi,	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
19	Plerixafor (Mozobil) solution	Sanofi- Synthelabo (India) limited	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
20	Retigabine	Hetero Labs Limited,	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
21	Fenspiride Hydrochloride	Zuventus Healthcare Ltd	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	
22	Crofelemer	Glenmark Pharma	risk versus benefit to the patients	Committee evaluated and recommended for the study
			innovation <i>vis-a-vis</i> existing therapeutic option	
			unmet medical need in the country	

Further, the Committee recommended that in cases where NDAC has recommended for issue of clinical trial permission without the presence of pharmacologists, the cases may be referred to pharmacologists of other NDAC panels and written opinion is to be obtained.

3. The Committee was apprised about the constitution of new 38 NDAC finalized from the pool of experts who have consented verbally or through-mails. It was also informed that as and when consent from other members is received, additional committees will be finalized.

The meeting ended with the vote of thanks to the Chair.

