



# INDIAN DRUG MANUFACTURERS' ASSOCIATION

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## **PARTNERS IN GLOBAL HEALTHCARE**

14<sup>th</sup> November 2013

**Shri Sukhbir Singh Badal**  
*Deputy Chief Minister*  
**Government of Punjab**  
Room No.03, II<sup>nd</sup> Floor,  
Punjab Civil Secretariat,  
Sector 1, Chandigarh - 160 001.

Honourable Shri Badal,

Subject: Issues and Concerns on Working of Medical Representatives in Punjab

You will be pleased to know that we are the Indian Drug Manufacturers' Association (IDMA), representing over 700 small, medium and large scale manufacturers situated throughout the length and breadth of our country. IDMA, as the apex national body of Pharmaceutical and Bulk Drug manufacturers in our country, has been since its inception in 1961, the engine leading the Indian Pharma industry to greater heights and glory and ensuring near self-sufficiency of safe, efficacious affordable medicines for our people. IDMA is popularly known in Government and industry circles as the "Voice of the National Sector".

We appreciate the progressive stance taken by the Government of Punjab under your dynamic leadership to accord priority to the Healthcare Industry. We believe that we can greatly support your vision to make Punjab an ideal state for bio-pharmaceuticals.

..2/-

## **AFFORDABLE MEDICINES FOR ALL**

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However, a major roadblock for achieving this is the unrest and adverse circumstances created and perpetrated by the Punjab Medical Representatives Association (PMRA). Over the last few years, they have created a fear psychosis by very often taking law in its own hand and preventing Medical Representatives and other managers of pharmaceutical companies to work in the cities and towns of Punjab freely after 3 p.m. on any given day! Even if the concerned representative wants to meet the medical doctor or his manager as per his / her convenience in the evening, the PMRA prevents such simple interactions through coercive tactics. Emboldened by such activities of PMRA, other unions of Representatives have come up in Punjab, who takes law in their own hands. We had brought this unprofessional and irresponsible behaviour of the Union to the notice of the Chief Minister of Punjab vide our letter dated April 9, 2010 requesting for corrective measures (copy enclosed).

The working time of MRs is wholly dependent on doctors' convenience, besides convenient visiting times at nursing homes, hospitals, pharmacy, medical stores, etc. Accordingly, their working pattern has to be flexible to match the comfort of the customers, such as the Doctors, who provide time only after seeing their patients first. This would require the MRs to adopt variable work timings in a day in order to fulfill their duties and responsibilities. Due to the nature of their job, there can be no fixed working hours attributed to the day to day work of MRs, those who are working in offices or shifts. The working conditions and timings are well within the specified statutory requirements, however due to the blatantly illegal activities of PMRA and some other Unions representing Medical Representatives (MRs), both the MRs and managers are virtually restricted to operate as per the diktats of the PMRA and union office bearers.

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Medical Representatives employed by the Pharmaceutical companies significantly contribute in the delivery of healthcare in the Country. Not only do they continuously educate the doctors on the various drugs available, but also spread the latest therapeutic developments and updates which help a long way in enhancing the knowledge of the doctors. Besides, they take the responsibility to make available drugs across various retail counters and also support in conducting various doctors / patient education programmes etc. In the State of Punjab, majority of the MRs are local residents, which provides huge employment opportunities for the local talent.

Unfortunately, PMRA has been illegally interfering, even intimidating and resorting to physical force, man handling etc the MRs and the management of pharmaceutical companies. For example, they have illegally forced MRs to work only till 3.00 p.m. and resorted to physical abuse, illegal extraction of money, intimidating threats etc. on those MRs who responsibly tried to do the jobs allotted to them. The working conditions and timings are well within the specified statutory requirements, however due to the blatantly illegal activities of PMRA the MRs are virtually forced to operate as per the diktats of the PMRA and its office bearers. Some of the gross illegal activities carried out by the PMRA and its office bearers are listed as Annexure.

In spite of the excellent initiatives by the State Government to attract industry investments in the State of Punjab, the employee relations scenario has seriously affected the industry. There is an urgent need to create favourable industrial climate by immediately stopping the illegal activities of PMRA / other Unions such as coercion, assault and humiliation of managers & MRs and protect them from such of anti-social elements.

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While respecting the genuine desire of the concerned Medical Representatives to belong to a recognized Union, it is unconceivable that in a modern day democracy, certain elements within such unions can get away by imposing their own rules and regulations as far as working in Punjab is concerned and bring bad name to the state. We are happy to sit across the table with Government representatives to explain the hardship faced by the industry and request the Government to bring about confidence amongst the Pharma Industry to expand their activities in the state of Punjab.

We suggest that a nodal agency / separate cell be set up to receive all the grievances and issues faced by the Pharma Industry due to illegal activities of the PMRA / Other Unions in order to quickly address the matter appropriately as per the law of the land. Strict action should be taken against all errant members of the PMRA or any other Union representing Medical Representatives to restore confidence and trust of the Industry in the State's administration.

We are confident that immediate steps to ensure flexible working timings of MRs, besides other issues as mentioned above will be taken to create a right environment to encourage investments in the State of Punjab, to ensure continued availability of the latest efficacious affordable medicines for the people in the State.

Thanking you and with kind regards,

Yours sincerely,



**Manish U Doshi**  
**President**

Encl.: As Above

**ILLEGAL ACTIVITIES OF PMRA IN THE STATE OF PUNJAB**

- a) The MRs are forced to stop working in the field at 3 p.m. and no managers is also allowed to work after 3.p.m.
- b) The nature of job of the MR is transferable but in the State of Punjab, if any employee is transferred, even for business exigencies, the Union does not allow the new employee to join in his place.
- c) The Manager of MR generally works along with the MR and supervises / coaches him around 2/3 days in a month. Each Manager is required to notify his MR the date and time of such work 10 days in advance and the notice has to be endorsed by the Union in advance. Even if a notice is given, unless it is endorsed by the officer of the local unit of PMRA or its associated units, a Manager is physically prevented from working in the market.
- d) The working of the managers is defined by Union and thus the managers have to follow such unconstitutional guidelines of the union.
- e) Business meetings which start before 9 a.m. or continue after 5 p.m. are disrupted and the Managers are assaulted and battered for conducting such meetings. Meeting of Manager and his MR after 5 p.m. are also not allowed
- f) Managers do joint work with MRs for about 3 to 5 days in a month. Many MRs to harass the Manager deliberately remain absent during joint work under the wrongful instructions of the Union, so that the Manager has to return without doing any work. If the Manager works alone in the market he is assaulted, battered and thrown out of the city by individuals claiming to be members/office bearers of PMRA /its local units.
- g) If, the so called "laws of PMRA" regarding "stipulated hours of work" are breached, under threat, coercion, assault and Rs.500/- are extorted from MR, Rs.1000/- from his first line supervisor and Rs.2000/- from second line Managers.
- h) If a disciplinary action is taken against a MR, work of all the Managers of that company is "frozen" in that region. If a Manager dares to work in such frozen area he is publicly humiliated, assaulted, battered, kidnapped "imprisoned" in the office of the PMRA, "released" after extorting money and thrown out of the city.
- i) Managers are not allowed to demand performance from their team members, if they ask explanation for poor performance or activity the MRs take shelter of the union who decides to take action against the manager and assault / threaten him.
- j) Union has gone to the extent of issuing ban against working of manager of some companies on the whole due to local issue of one unit or one MR resulting into months of non working of Managers who are also citizens of Punjab.
- k) If a Manager or MR does not comply with these illegal directives he will be assaulted, battered by anti-social elements posing as members/office bearers of PMRA and its units and, in case of Managers he is forced to leave the town. There have been many instances in Punjab of Pharmaceutical company managers being assaulted and beaten which has been also in records of the Police. Criminal intimidation and threats are very common, not only to the Manager or MR, even they force themselves into the residences of the MRs.