



**Department of Pharmacy GP
(Uttwar)**

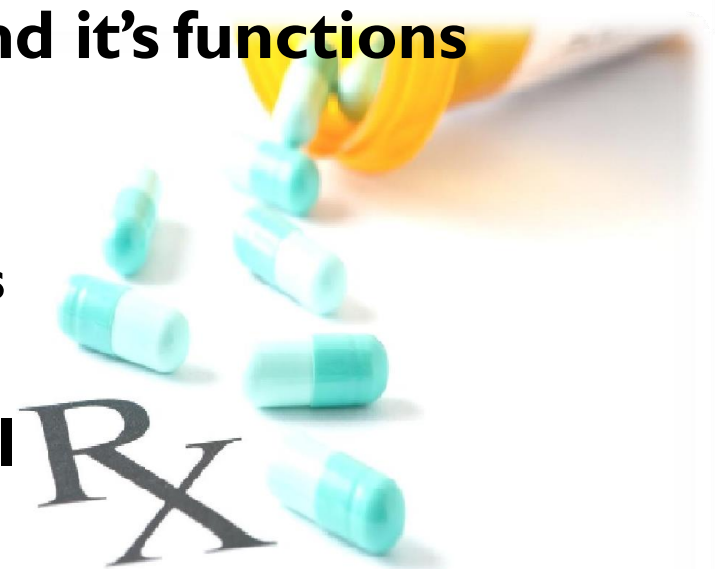
THE PHARMACY ACT

(An act to regulate profession of pharmacy)

**Unit 3rd
(Pharmaceutical jurisprudence)**

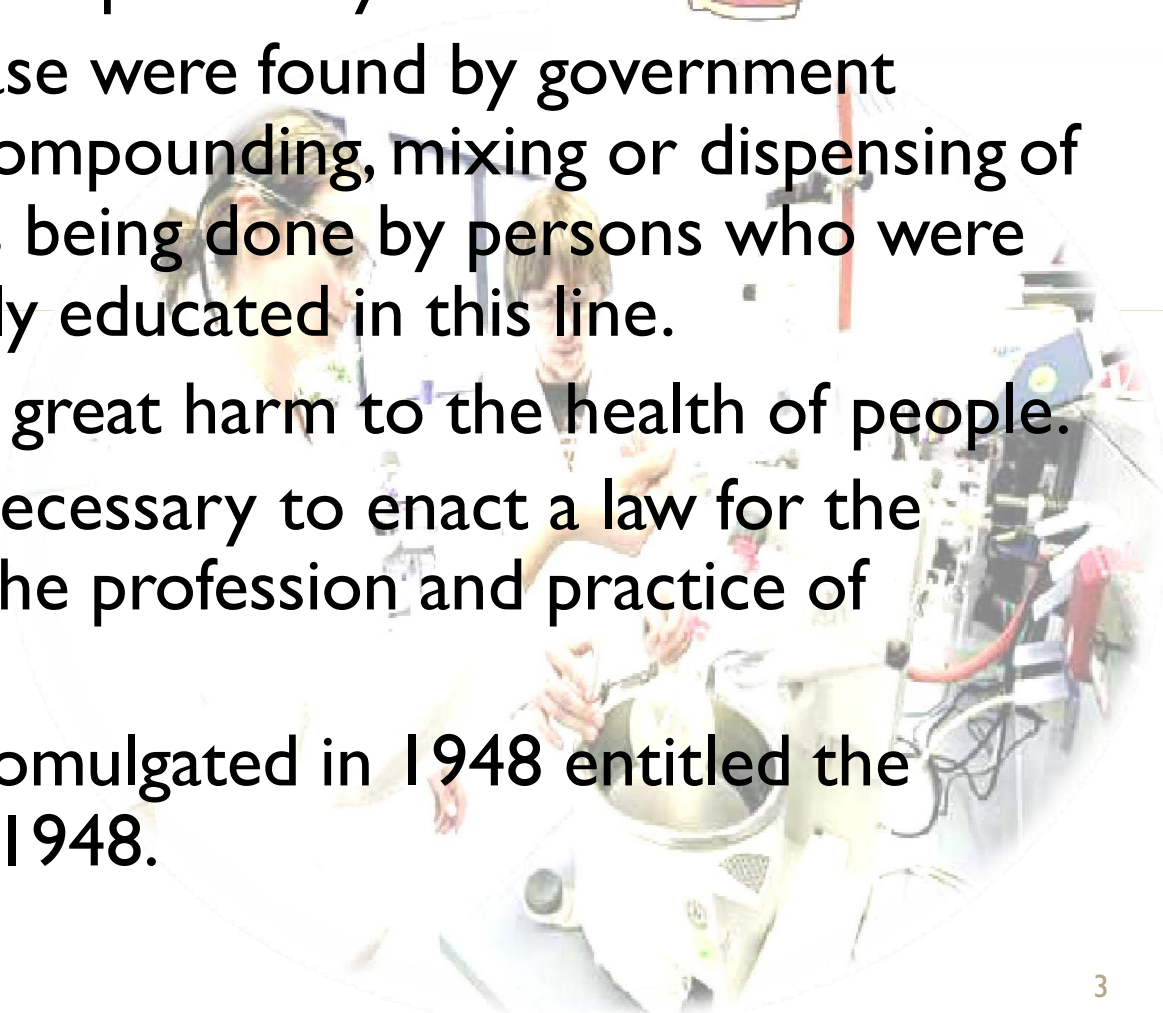
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HISTORY OF PHARMACY ACT-

- ❧ In India there was no any restriction to practice the profession of pharmacy.
- ❧ Hundred of case were found by government wherein the compounding, mixing or dispensing of medicines was being done by persons who were not adequately educated in this line.
- ❧ These causing great harm to the health of people.
- ❧ It was found necessary to enact a law for the regulation of the profession and practice of pharmacy.
- ❧ An act was promulgated in 1948 entitled the pharmacy act 1948.



OBJECTIVE-

- ☞ To regulate the pharmacy education in the country for the purpose of registration as a pharmacist under the pharmacy act.
- ☞ They also regulate the profession and



Definitions-

- ❧ “Pharmacy Act” –An act to regulate the profession of pharmacy.
- ❧ “Registered Pharmacist” - A person whose name is for the time being entered in the register of the state in which he or she is for the time being residing or carrying on his profession or business of pharmacy.

THE PHARMACY COUNCIL OF INDIA-

❧ The first pharmacy council of India(P.C.I) constituted by central government in 1949.

❧ It is reconstituted every 5 years.

❧ **A. Constitution,office Bearers etc.:**

It consists of three different types of members-

1. Elected member
2. Nominated member
3. EX-Officio Member





I. Elected members-

A. 6 members(teachers),elected by University Grant Commission(UGC).

There is at least one teacher of each of the pharmacy, pharmaceutical chemistry, pharmacognosy and pharmacology.

B. One member, elected by Medical Council of India.

C. One member, elected by State Council,who shall be a registered pharmacist.

2. Nominated members-

A. 6 member, nominated by the Central Government. Of whom at least 4 shall be persons possessing a degree or diploma in, and practicing pharmacy, or pharmaceutical chemistry.

B.A representative of the U.G.C. and a representative of the All India Council for Technical Education(A.I.C.T.E.)

C.One member nominated by each State Government,who shall be a registered pharmacist.

3. Ex-Officio Members-

- A.** The Director general of Health Services.
- B.** The Director of Central Drug Laboratory.
- C.** The Drug controller of India.

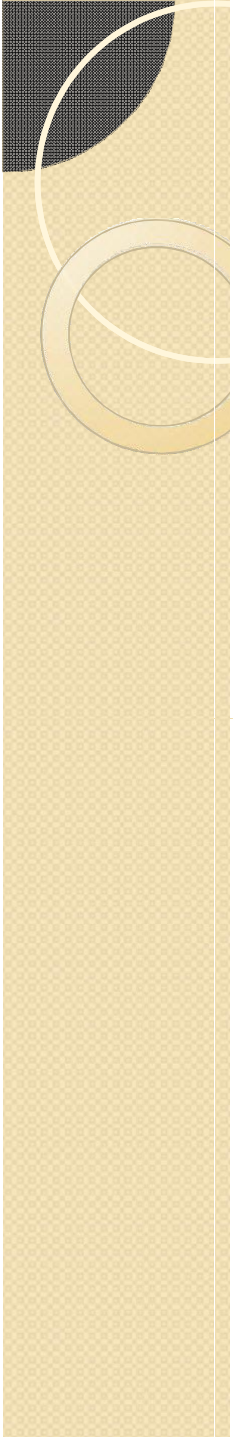
Executive Committee Consisting of-

- President
- Vice – President
(President and Vice – President of Central Council shall be elected by the members of the Council from themselves.)
- Five members elected by Central Council from it's members.



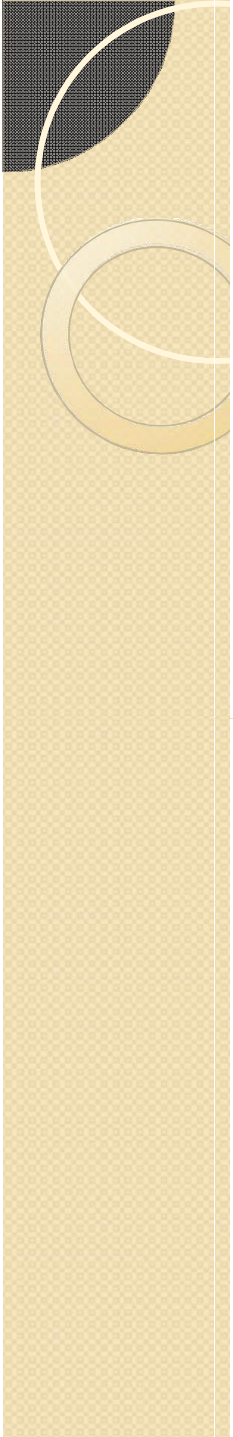
The Council shall appoint:

- A Registrar act as a secretary.
- Other officer and servants.

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- The elected and nominated members of the Council hold office for a period of 5 years, but they can resign their membership at any time, by writing to the president of the council.
 - All members are eligible for re-election or re-nomination.

B. FUNCTIONS--

- ❑ **Design of the educational pattern—**
 - To frame an educational structure for the would be pharmacist and to keep it tuned to the changing needs with passage of time .
 - The standards of education for pharmacist framed by the council are known as the **Educational Regulations** and amongst other things prescribe.As-
 - ✓ Minimum qualification for admission to the course.

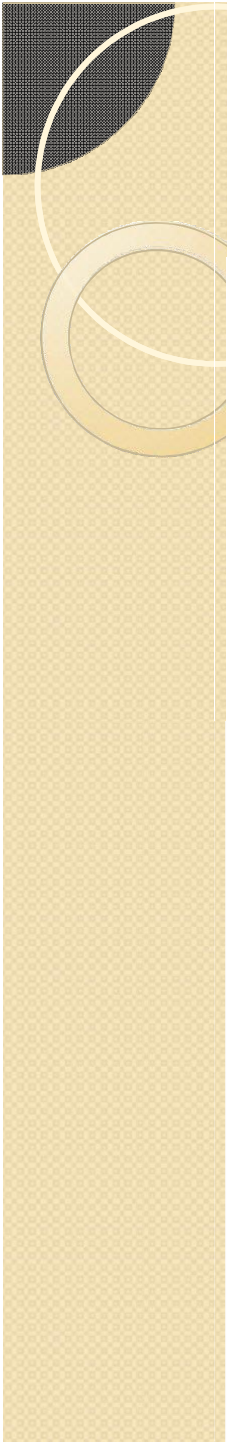
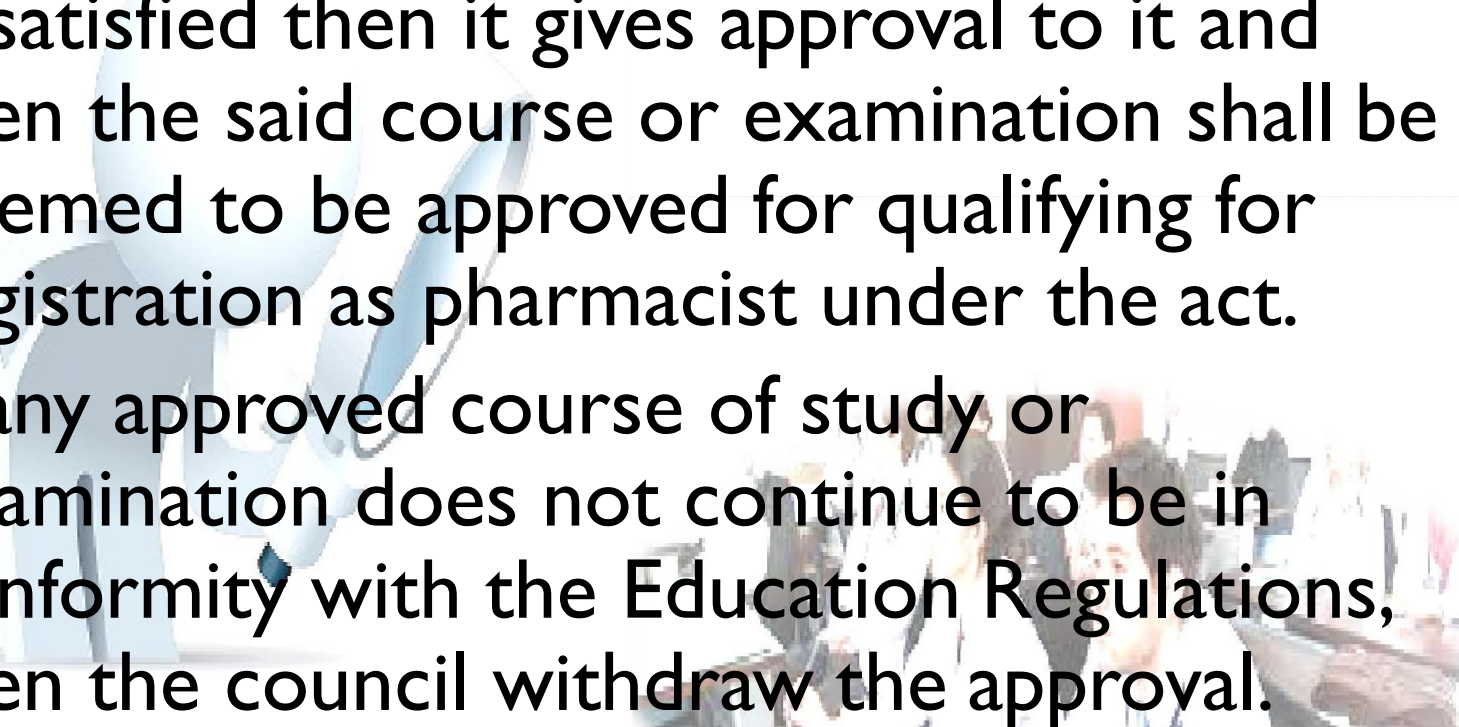
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- ✓ Duration of the training and the course of study to be covered.
 - ✓ Equipments and facilities to be provided by the institutions.
 - ✓ Giving practical training.
 - ✓ Holding approved examinations.

(After the formation of the state councils the State Government were supposed to publicize the Education Regulations in the States in consultation with the respective State Pharmacy Council.)

□ Approval of Institutions/withdrawal of approvals:

- An institution or authority, which conducts a course of study or hold an examination for the pharmacists, has to apply to the Pharmacy Council of India for approval of the course or the examination.
- The council may depute its inspectors to visit the institution to check whether the prescribed facilities for imparting training or holding examinations are in accordance with the Education Regulations or not.

APPROVED
INSTITUTION

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- It may also require inspectors to attend any examination, to judge its standard without interfering with its conduct.
 - The Inspectors then report to the council.
 - If on the report of the Inspector, the council is satisfied then it gives approval to it and then the said course or examination shall be deemed to be approved for qualifying for registration as pharmacist under the act.
 - If any approved course of study or examination does not continue to be in conformity with the Education Regulations, then the council withdraw the approval.
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❑ Maintenance of Central Register of Pharmacists:

- Under the provision of the pharmacy (Amendment) Act 1976, the Pharmacy Council of India is required to maintain a register containing names of all persons registered as pharmacists in different states.
- This register has to be maintained by the registrar of the Council and has to be revised suitably from time to time and published in the Gazette of India.

STATE PHARMACY COUNCIL-

- It also consists of three different types of members- Elected, nominated and ex-officio.

A. Elected members-

- Six members, elected from amongst themselves by registered pharmacist of the state.
- One member elected from amongst themselves by the member of each Medical Council of the State.

B. Nominated members –

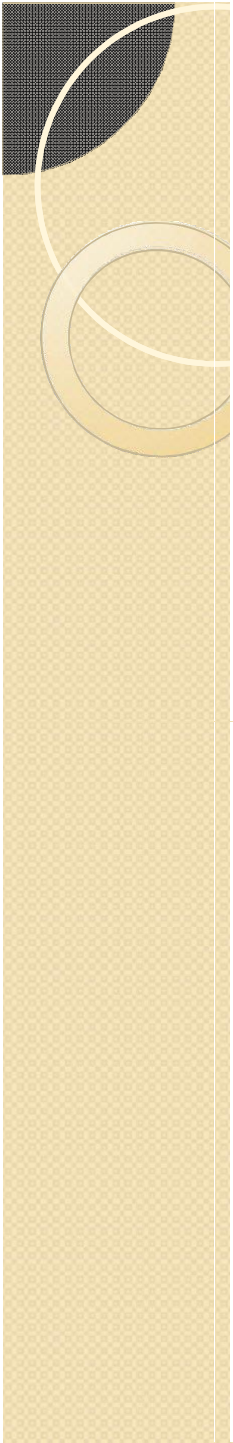
- Five members, of whom at least three shall be possessing a degree or diploma in pharmacy or pharmaceutical chemistry or to be registered pharmacists, nominated by the state government.

C. Ex-Officio Members-

- Chief administrative medical officer of the state.
- Government Analyst nominated by state government under the drug and cosmetic act 1940.
- Officer in charge of drugs control organization of the state.

➤ **Where two or more States enter into an agreement to form a joint State Pharmacy Council:**

- ❧ **Registered pharmacist** – 3 to 5 from each state instead of 6 in the single State Council.
- ❧ **Government Nominees** – 2 to 4 from each State instead of 5.
- ❧ **Medical Council Nominee** – one from each State.
- ❧ **Chief Administrative Medical Officer, Government Analyst and Officer-in-charge, Drug Control** - Ex-officio from each state.

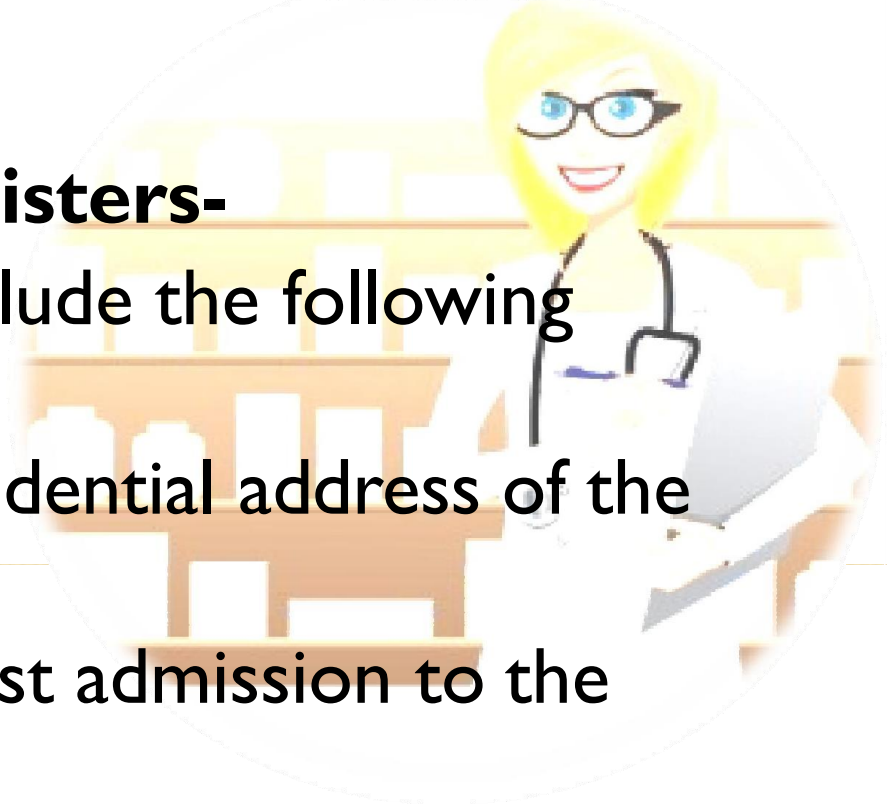
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- ❧ Each Council shall have a president and vice-president, elected by the members from amongst themselves provided that for five years from the first constitution of the council.
 - ❧ The president will be nominated by the State Government and if he is not already a member, he becomes a member of the council in addition.
 - ❧ The State Council are, before the end of June in each year, required to pay to the PCI a sum of equivalent to one-fourth of the fees.

B. FUNCTIONS OF THE STATE PHARMACY COUNCILS:

❑ Maintenance of registers-

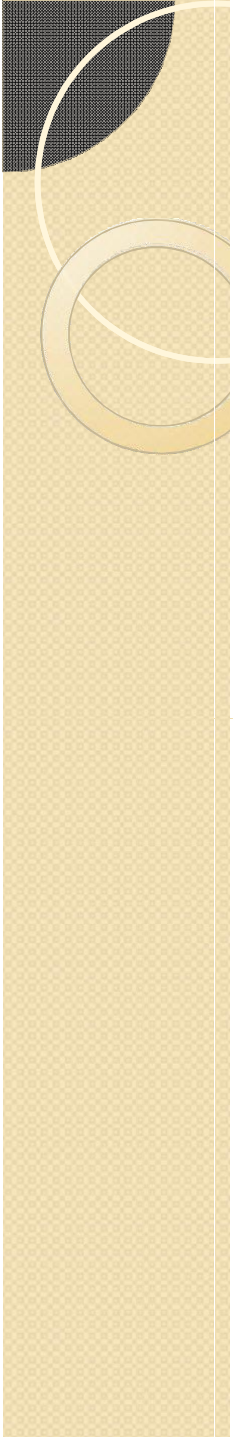
The Register shall include the following particulars namely-

- The full name and residential address of the registered person.
- The date of his/her first admission to the register.
- His/her qualifications for registration.
- His professional address, and if he is employed by any person, the name of such person.



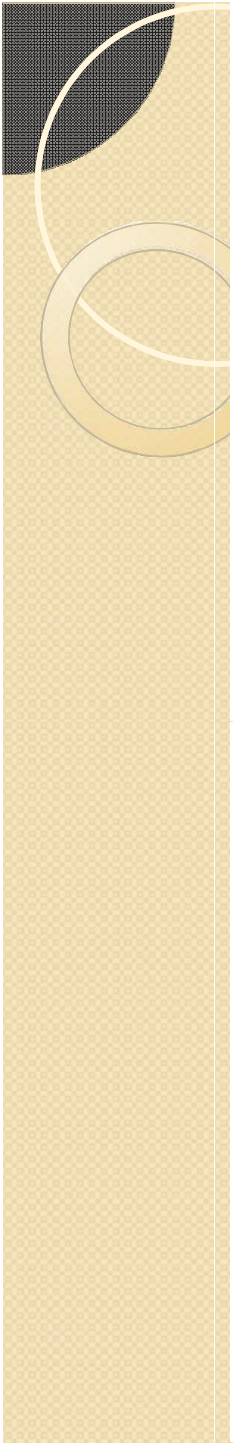
ENTRY AND REMOVAL OF NAMES:

- ⌘ After an appointed date, all applications for registration should be addressed to the registrar of the State Pharmacy Council.
- ⌘ The applicant has the requisite qualifications for registration, he may direct his or her name to be entered in the register.
- ⌘ Person whose names have been removed from the registers of other State shall not be entitled to registration unless the State Council gives its consent thereto.

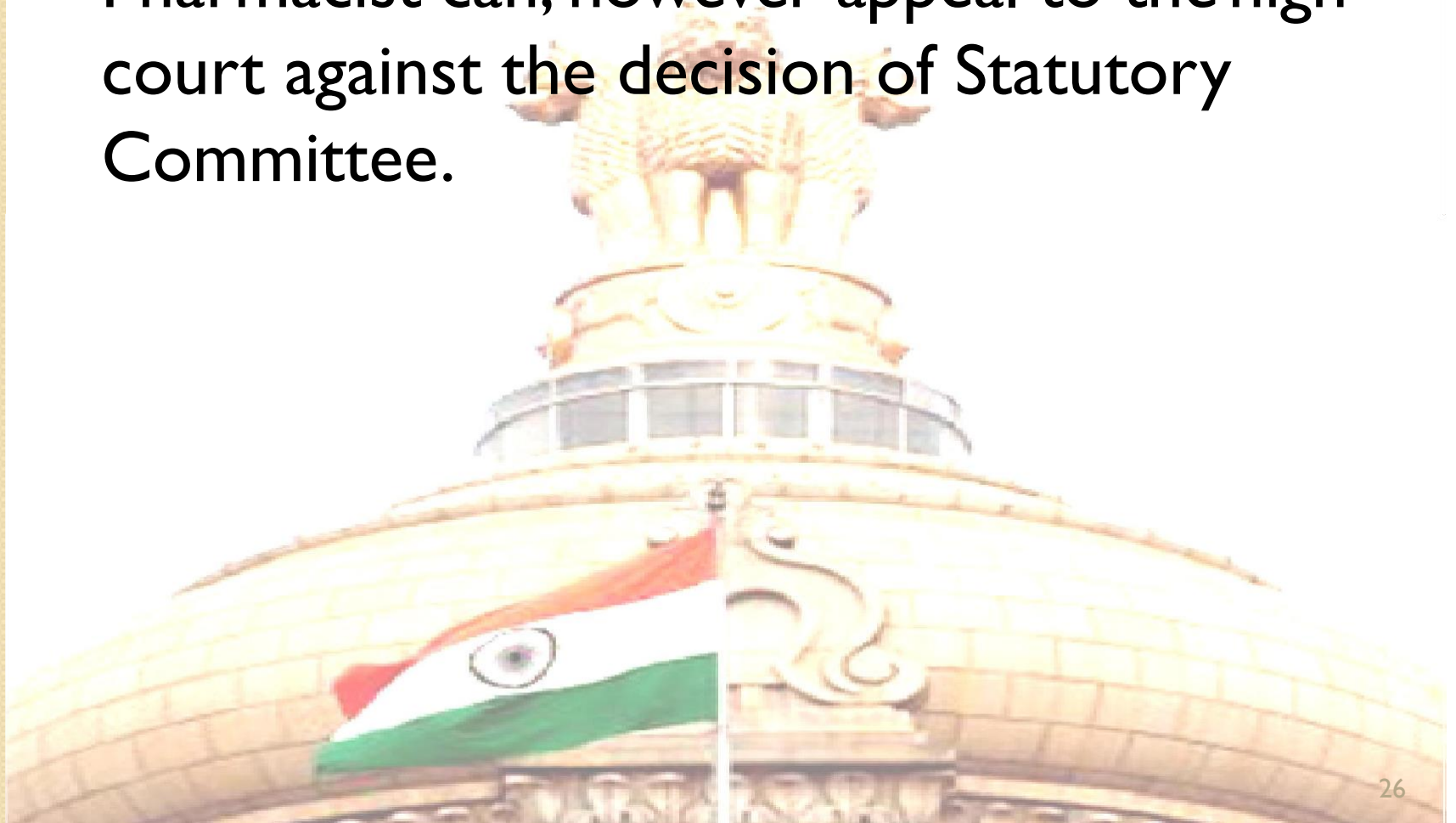
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- Upon entry of the name of person in the register, the Registrar is required to issue to him a certificate of registration in the prescribed form.
 - On payment of the fees, the registrar is required to issue a receipt thereof and such receipts are deemed to be proofs of renewal of registration.

REMOVAL OF NAME FROM THE REGISTER:

- ✿ The name of a pharmacist may be removed from the register on following counts-
- ✓ If his name has been entered in register by error.
- ✓ If he has been convicted of an offence in any professional.
- ✓ Any pharmacist ,who is held guilty and whose name has been removed from register,shall continue to remain a registered pharmacist for the next three months and only after the expiry of that period he shall cease to be a registered pharmacist.

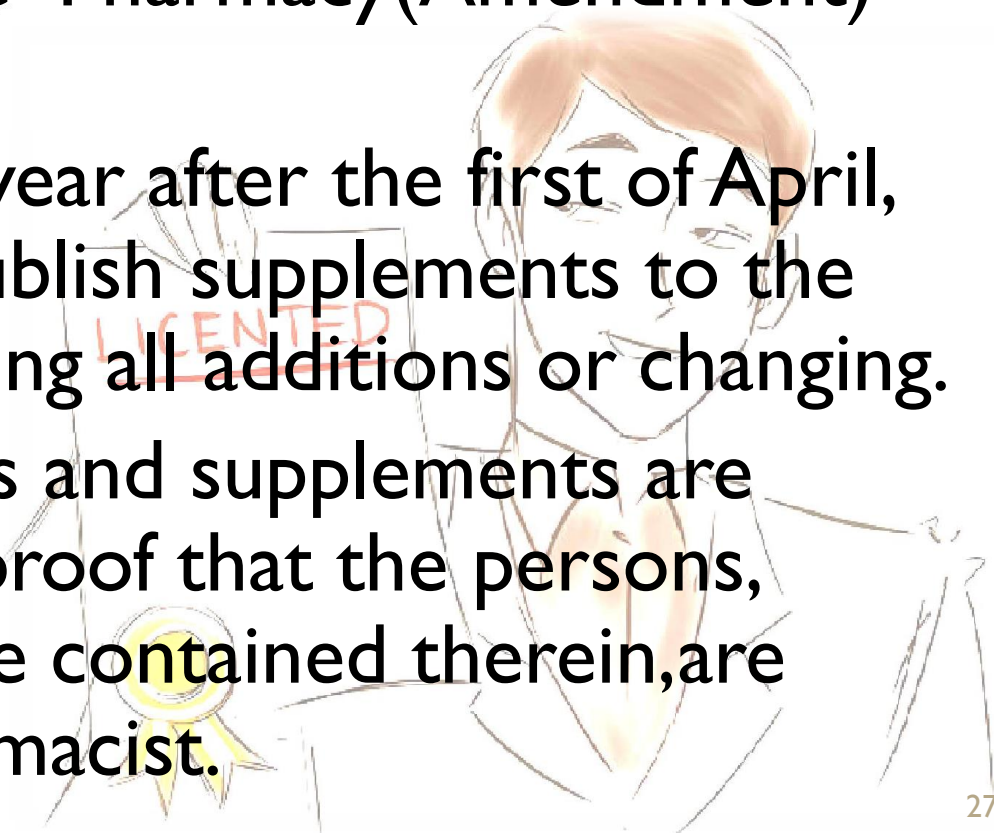
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- A person aggrieved by the order directing the removal of his name, may appeal to the State Government within 80 days whose decision shall be final.
 - A person whose name has been removed from the register, is required to surrender his certificate of registration to the registrar of the Pharmacy Council concerned.
 - If it feels that the offence was a minor nature, it may warn the pharmacist and stop the consideration of his case for a specified period, during which the pharmacist should prove himself to be of good behavior.

- But in cases of serious professional neglect or criminal conviction, his name may be removed.
- Pharmacist can, however appeal to the high court against the decision of Statutory Committee.



Printing of Registers-

- ❧ The Register of the State Pharmacy Council were required to publish the Registers on the first April following the beginning of the Pharmacy (Amendment) Act.
- ❧ Later on, each year after the first of April, they were to publish supplements to the Registers showing all additions or changing.
- ❧ These Registers and supplements are deemed to be proof that the persons, whose name are contained therein, are registered pharmacist.



❑ Inspection by State Council:

☞ The State Pharmacy Council have been empowered to appoint suitable number of Inspectors having prescribed qualifications to inspect premises where drugs are dispensed or compounded.



OFFENCES AND PENALTIES:



Offences

- 1) Falsely claiming to be a registered pharmacist.
- 2) Dispensed by unregistered person. Exception-medical practitioner.
- 3) Failure to surrender certificate of registration.
- 4) Obstructing State Pharmacy Council Inspectors.

Penalties

- 1.a) Fine up to Rs. 500.00 on first conviction.
- b) Fine up to Rs. 1000.00 and/or 6 months imprisonment of any subsequent conviction.
- 2) 6 months imprisonment or fine up to range 1000.00 or Both.
- 3) Fine up to Rs. 50.00
- 4) 6 months imprisonment or Fine up to Rs. 1000.00 OR Both.

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Thank
you!