

**<sup>1</sup>THE STATE PHARMACY COUNCIL RULES, 1951  
RULES FOR THE STATE PHARMACY COUNCIL**

*Preliminary*

1. These rules may be called the State Pharmacy Council Rules.
2. In these rules unless there be something repugnant in the subject or context—
  - (a) The expression "THE ACT" means the Indian Pharmacy Act, 1948.
  - (b) The expression "THE COUNCIL" means the State Pharmacy Council constituted under Section 19 of the Act.
  - (c) The expression "THE EXECUTIVE COMMITTEE" means the Executive Committee under section 27(1) of the Act.
  - (d) The expression "THE REGISTRAR" means the Registrar appointed by the Council under section 26 of the Act.
  - (e) The expression "THE TREASURER" means the treasurer appointed by the Council under sub-section (a) of section 2d of the Act.
  - (f) The expression "MINISTERIAL STAFF" means the clerks and servants appointed by the Council under section 26(b) of the Act.
3. The office of the Council shall be situated at Ludhiana or such other place as may be fixed by the Government from time to time.

**PART I**

*Mode of election*

4. In the case of nominated members, the PRESIDENT shall inform the State Government of the vacancy requesting them to fill the same.
5. In the case of first election under section 19(a) of the Act the Registrar of the Registration Tribunal shall act as the Returning Officer. In all other subsequent elections under the above-said section, the President or any other person authorized by him in this behalf shall be the Returning Officer and such Returning Officer shall some time not less than forty-two days, nor more than sixty days before the day on which the term of office of such members will expire and as soon as conveniently may be after the occurrence of any vacancy arising from death or in any manner as set forth in section 25 of the Pharmacy Act issue his precept in the electorate concerned and shall publish

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In the Gazette notice inviting in Form 'A' the submission of nominations.

- (1) THE COUNCIL shall appoint and shall notify in the State Government Gazette and in such other manners as it thinks fit such suitable date for each of the following, namely:

- (a) Last nomination day
- (b) Scrutiny of nomination papers day
- (c) The last day for receiving voting papers and the day for the counting of the votes.
- (d) The sending of voting papers under rule 6(11).

6. The following shall be the procedure adopted for filling up vacancies by the electorates:

- (1) The electoral roll shall be prepared by the Registrar from the Registrar and shall contain the name, qualifications and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies. Any person who is qualified for election to the Council under Section 19(a) of the Act may be nominated as a candidate for election under sub-section (a) of section 19 of the Act.
- (2) Copies of the electoral roll shall be made available for sale at a price not exceeding Rs.2 to be fixed by the President.
- (3) Candidate qualified for election must be proposed and seconded by persons qualified as electors. The nomination paper should be in Form B. No elector shall propose or second the nomination of more persons than are required to fill up the vacancy or vacancies. Provided also that if more nominations than are required to fill up the vacancy or vacancies be subscribed by the same elector, all nominations subscribed by him shall be held to be void.
- (4) The candidate shall sign the nomination paper declaring that he is willing to serve on the Council, if elected, failing which the nomination paper shall be invalid.
- (5) Every candidate shall along with the proposal for nomination deposit with the Returning Officer a sum of Rs.100 in cash and he shall not be deemed to be duly nominated unless the said deposit has been made. The deposit shall be forfeited to the Council if the candidate is not elected and the number of votes recorded in his favour is less than one-eighth of the total number of votes recorded. The said deposit



shall be returned if it is not forfeited under this sub-rule.

- (6) Every proposal for nomination must be in writing and must be signed by the proposer and the seconder and sent by post or otherwise, so as to reach the Returning Officer not less than thirty days before such date as may be appointed by the Council in this behalf.
- (7) On the scrutiny or nomination day the Returning Officer shall scrutinise the nomination papers received by him at a place appointed by the President on that date at 12 o' clock in the noon. Any candidate may be present either in person or by an accredited representative at the time of such scrutiny. On completion of the scrutiny of nominations and after the expiry of the period within which candidature may be withdrawn under sub-rule 8, the Returning Officer shall forthwith declare the names of the candidates whose nomination papers are held valid by him.
- (8) Any candidate may withdraw his candidature by notice in writing signed by him up to 12 o' clock on the fifth day from the last nomination day, counting that day as the first day. Such notice shall not be valid, unless it is delivered to the Returning Officer, or sent to him by post or otherwise and received by the Returning Officer, before the time and the date appointed by the President for such purpose.
- (9) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare such candidate to be elected.
- (10) If more candidates than are necessary to fill up the vacancy or vacancies be nominated, the Returning Officer shall forthwith publish their names and addresses in the Government Gazette of the State and otherwise as the Council shall deem fit, and shall further cause their names to be entered in voting papers in the form as laid down in Form "C".
- (11) Twenty one days before the date as may be appointed by the Council in this behalf, the Returning Officer shall send by post to each elected one such voting paper bearing the official mark of the Returning Officer and an identification envelope on which a declaration as per Form D is printed and a bigger cover on which are printed on the left top corner the serial alphabetical number and the name

and the signature column at the lower left corner and the address of the Returning Officer printed as under:

"To

The Returning Officer,  
Pharmacy Council Office

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- (12) An elector who has not received his voting paper and other connected papers sent by post or whose papers before they are despatched back to the Returning Officer have been inadvertently spoiled in such manner that they cannot be conveniently used or who has lost his papers, may, on his transmitting to the Returning Officer a declaration to that effect signed by himself require the Returning Officer to send him duplicate papers in place of those not received spoilt papers shall be returned to the Returning Officer who shall cancel them on receipt. In every case when duplicate papers are issued, a record thereof shall be kept by the Returning Officer and a mark "Duplicate" shall be placed on the bigger cover, which will bear the same serial alphabetical number as was originally given to the said elector. The voting papers issued in such cases shall also be marked "Duplicate".
- (13) Before the date appointed by the Council in this behalf every elector desirous of voting, shall send his voting paper to the Returning Officer, and the Returning Officer shall keep the same collected in sealed boxes. Provided that the voting papers which are not received by the Returning Officer before 12 noon on the date appointed for the counting of votes shall be rejected as also all those that do not conform to the Rules.
- (14) The President shall nominate as scrutinizers such number of members of the Council not exceeding four as he thinks fit.
- (15) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the President in this behalf. Any candidate may be present in person.
- (16) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes have been given to be elected and shall forthwith inform the successful candidate by letter of his being elected



to the Council. If any candidate thus shown to be elected has withdrawn from the election, or refuses to accept election, that one of the remaining candidates to whom the next largest number of votes has been given shall be held to have been elected in the place of the withdrawing candidate, and so on for as many of the remaining candidates as there may be vacancies caused in this way.

- (17) When an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn by the Returning Officer, and in such manner as the PRESIDENT or the person authorised by him in his behalf may determine.
- (18) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed.
- (19) The Returning Officer shall inform the President of the result of the election.
- (20) If any question arises as to the intention, construction or application of this rule or the validity of any election the Council shall refer such question under section 2 of the Act to Government whose decision shall be final.
- (21) If any difficulty arises in holding an election and in carrying out the provisions of this rule, it shall be lawful for the President to take such action or pass orders as it may appear to him necessary or expedient.

7. (1) The President and the Vice President of the Council shall be elected at a meeting of the Council. When about to elect the President, the members present shall elect a temporary Chairman by a ballot, if necessary, which ballot shall be taken by the Registrar. The meeting shall then proceed to the election of the President which shall be by ballot. It shall be competent for any member or nominate by ballot a member for the office of the President and the temporary Chairman shall announce the names of the members so nominated and arrange for a ballot. Every note which shall be given at such a ballot for a person who has not been nominated shall be wholly void and intellectual. Should only two persons be nominated the voting on the first ballot shall be final, except in case of equality of votes. If more than two persons are nominated the candidate obtaining the lowest number of votes at the first ballot shall be eliminated until only two

remain when the ballot shall be final except in the case of equality of votes. Provided that if one of the candidates secures more than 50 percent of the votes cast, he shall be declared elected. In the case of an equality of votes, a further ballot shall be taken and if that be indecisive the election shall be decided by drawing lots.

7.(2) The President having been elected will take the chair and the members will proceed to elect a Vice-President, the procedure laid down in sub-rule (1) being followed except that in the case of equality of votes, the President shall have a casting vote.

8. Election of a member by the Medical Council of the State under clause (c) of section 19 of the Act shall be conducted at a meeting of the Medical Council of the State in accordance with the regulations of the Medical Council of the State.

9. On receipt of official notice of the election of a member, the PRESIDENT shall inform the State Government of the same for publication in the Government Gazette of the State. The notification of the election of member shall be read by the PRESIDENT and he shall then be introduced to the meeting by some member of the Council. The above procedure shall be adopted also in the case of nominated members.

## PART II

### Meetings of the Council

10. (1) Unless the President in the exercise of his discretion shall deem shorter notice expedient in which case such notice shall be sent by telegram or other more expeditious means, in every case the notice, shall be sent to each member.

10.(2) The President, whenever it appears to him unnecessary to convene a meeting may instead of so doing, circulate a written proposition with the reasons for such proposition for the observations and votes of the members of the Council.

11. The Council shall ordinarily meet twice preferably in February and September in a calendar year on such date and place as may be fixed by the President, provided that the President--

- (1) may call a special meeting at any time on 15 days' notice to deal with any urgent matter requiring the attention of the Council,
- (2) shall call a special meeting on 15 days' notice if he receives a requisition in writing signed by not less than 10 members and stating the purposes of the meeting other than that mentioned in Rule 8(1)(b) and being a purpose within the scope of the Council's function, for which they desire the meeting to be called.



12. The first meeting of the Council held in any calendar year shall be annual meeting of the Council for that year.

13. At the special meeting called by the President in the exercise of his discretion under Rule 11(1) only subject or subjects for the consideration of which the meeting has been called shall be discussed, unless the Council by a resolution agree to consider such other business.

14. Notice of every meeting other than a special meeting called under the proviso to rule 11(1) or under the first proviso to rule 16(1)(b) shall be despatched by the Registrar to each member of the Council 30 days before the date of the meeting.

15. (1) The Registrar shall issue with the notice of the meeting a preliminary Agenda paper showing the business to be brought before the meeting, the terms of all motions to be moved for which notice in writing has previously reached him and the names of the movers.

(2) A member who wishes to move any motion not included in the preliminary Agenda paper or an amendment to any item so included shall give notice thereof to the Registrar not less than 25 clear days before the date fixed for the meeting.

(3) The Registrar shall not less than 15 clear days before the date fixed for the meeting, that is., in the case of a special meeting with the notice of the meetings issue a complete Agenda paper showing the business to be brought before the meeting.

(4) A member who wishes to move an amendment to any item included in the complete Agenda paper, but not included in the preliminary Agenda paper shall give notice thereof to the Secretary not less than 3 clear days before the date fixed for the meeting.

(5) The Registrar shall, if time permits, cause a list of all amendments of which notice has been given under sub-rule (4) to be made available for the use of every member.

Provided that the President may, if the Council agrees, allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to admit of compliance with this rule.

Provided also that nothing in this rule shall operate to prevent the preference by the Executive Committee of any matter to the Council at a meeting following immediately or too soon after the meeting of the Executive Committee to permit of the notice required under this rule.

16 (1) A motion shall not be admissible—

(a) if the matter to which it relates is not within the scope of the Council's functions.

- (b) if it raises substantially the same question as a motion or amendment which has been moved or withdrawn with the leave of the Council within one year of the date of the meeting at which it is designed to be moved.

Provided that such a motion may be admitted at a special meeting of the Council convened for the purpose on the requisition of not less than two-thirds of the members of the Council.

Provided further that nothing in these rules shall operate to prohibit the further discussion of any matter referred to the Council by the State Government in exercise of any of its functions under the Act.

- (c) unless it is clearly and precisely expressed and raises substantially one definite issue;
- (d) if it contains inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (1);

Provided that if a motion can be rendered admissible by amendment the President may in lieu of disallowing the motion admit it in amended form.

(3) When the President disallows or amends a motion, the Registrar shall inform the member who gave notice of the motion of the order of disallowance or, as the case may be, of the form in which the motion has been admitted.

### PART III

#### *Order of Business at the meetings of the Council*

17 (1) Every meeting of the Council shall be presided over by the President or if he is absent by the Vice-President, or, if both the President and the Vice-President are absent by a Chairman to be elected by the members from among themselves.

(2) All references in this part to the President shall be read as referring to the person for the time being presiding over a meeting.

(3) Eight members of the Council of whom the President may be one present in person shall constitute a quorum, provided that in the case of a meeting adjourned for want of quorum, no quorum shall be required.

18. If, at the time appointed for a meeting, a quorum is not present, meeting shall not commence until a quorum is present and if a quorum is not present on the expiration of 20 minutes from the time appointed for the meeting or during the



course of any meeting the meeting shall stand adjourned to such future time and date as the President may appoint.

19. (1) Every matter to be determined by the Council shall be determined on a motion moved by a member and put to the Council by the President.

(2) Votes shall be taken by show of hands or by division or by ballot, as the President may direct:

Provided that votes shall be taken by ballot if three members so desire and ask for it;

Provided further that if voting has been by show of hands, a division shall be taken if a member asks for it.

(3) The President shall determine the methods of taking votes by division.

(4) The result of the vote shall be announced by the President and shall not be challenged.

(5) In the event of an equality of votes the President shall have a second or a casting vote.

20. When motions identical in purport stand, in the names of two or more members the President shall decide whose motion shall be moved and the other motion or motions shall thereupon be deemed to be withdrawn.

21.(1) Every motion or amendment shall be seconded and if not seconded shall be deemed to have been withdrawn.

(2) When a motion has been seconded it shall be stated from the chair.

(3) When a motion has been thus stated, it may be discussed as a question to be resolved either in the affirmative or in negative or any member may subject to rules 22 and 23 move an amendment to the motion;

Provided that the President shall not allow an amendment to be moved which if it has been a substantive motion would have been inadmissible under Rules.

22. (1) An amendment must be relevant to and within the scope of the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The President may refuse to put an amendment which is in his opinion frivolous.

23. A motion may be amended by :--

- (a) the omission, insertion or addition of words, OR
- (b) the substitution of words for any of the original words.

24. (1) When a motion or amendment is under debate, no proposal with reference thereto shall be made other than--

- (a) an amendment of the motion as the case may be, as proposed in Rule 21.

- (b) a motion for the adjournment of the debate on the motion or amendment either to a specified date and hour or sine die.
- (c) A motion for the closure, namely, a motion that the question be now put.
- (d) a motion that the Council instead of proceeding to deal with the motion do pass to the next item on the programme of business.

Provided that no such motion or amendment shall be moved so as to interrupt a speech.

Provided also that no motion of the nature referred to in clauses (b), (c), and (d) shall be moved or seconded by a member who has already spoken to the question then before the meeting.

Provided that a motion referred to in clauses (c) and (d) above shall be moved without speech.

(2) It shall be in the discretion of the President to put or refuse to put to the Council a proposal of the nature referred to in clause (b) of sub Rule No. (1).

(3) Unless the President is of opinion that a motion for closure is an abuse of the right of reasonable debate, he shall forthwith put a motion that the question be now put and if that motion is carried, the substantive motion or amendment under debate shall be put forthwith.

Provided that the President may allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put.

25. Provided that it shall not interrupt a speech, a proposal to adjourn the Council to a specified date and hour may be made at any time, but it shall be in the discretion of the President to put or refuse to put such a proposal to the Council.

26. A motion or an amendment which has been moved and seconded shall not be withdrawn, save with the leave of the Council which shall not be deemed to be granted, if any, member dissents from the granting of leave.

27. When a motion has been moved and seconded, members other than the mover and the seconder may speak on the motion in such order as the President may direct:

Provided that the seconder of a motion or an amendment may with the permission of the President confine himself to accepting the motion or amendment as the case may be and speak thereon at any subsequent stage of the debate.

28. During the meeting, the President may, at any time, make any objection or suggestion or give information to elucidate any point to help the members in the discussion.



29. (1) The mover of an original motion and, if permitted by the President, the mover of any amendment shall be entitled to a right of final reply; no other member shall speak more than once to any debate except with the permission of the President, for the purposes of making a personal explanation or of putting a question to the member then addressing the Council.

Provided that any member at any stage of the debate may rise to a point of order, but no speech shall be allowed on that point:

Provided that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion:

(2) No member shall, save with the permission of the President, speak for more than five minutes:

Provided that the mover of motion when moving the same may speak for ten minutes.

(3) A speech shall be strictly confined to the subject-matter of the motion or amendment on which it is made:

(4) Any motion or amendment standing in the name of a member who is absent from the meeting or unwilling to move it may be brought forward by another member with the permission of the President.

30. (1) A member desiring to make any observations on the matter before the Council shall speak from his place, shall rise when he speaks, and shall address the President.

(2) If at any time the President rises, any member speaking shall immediately resume his seat.

31. No member shall be heard except upon the business before the Council.

32. (1) When an amendment to any motion is moved and seconded (or when two or more amendments are moved and seconded) the President shall, before taking the sense of the Council thereon, state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) An amendment to a motion shall be put to the vote first.

(3) If there be more than one amendment to a motion, the President shall decide in what order they shall be taken.

33. When any motion involving several points has been discussed, it shall be in the discretion of the President to divide the motion, and put each or any point separately to the vote as he may think fit.

34. (1) The President after stating reasons may, at any time adjourn any meeting to any future day or to any hour of the same day.

(2) Whenever a meeting is adjourned to a future day the Registrar shall, if possible, send notice of the adjournment to every member who was not present at the meeting.

(3) When a meeting has been adjourned to a future day the President may change such day to any other day and the Registrar shall send written notice of the change to each member.

(4) At a meeting adjourned to a future day any motion standing over from the previous day shall unless the PRESIDENT otherwise directs take precedence of other matter on the Agenda.

(5) Either at the beginning of the meeting or after the conclusion of the debate on a particular item during the meeting the President or a member may suggest a change in the order of business on the Agenda, if the Council agrees such a change shall take place.

(6) No matter which had not been on the Agenda of the original meeting shall be discussed at an adjourned meeting.

(7) The same quorum shall be necessary for an adjourned meeting as for an ordinary meeting, except in such cases as provided for in Rule No. 17 (3).

35.(1) The President shall decide all points of order which may arise and his decision shall be final.

(2) If any question arises with reference to procedure in respect of a matter for which these rules make no provision the President shall decide the same and his decision shall be final.

#### PART IV

##### *Appointment of Members of the Council*

36. A book shall be kept, containing the names of the members of the Council, the Electorates they represent, the date of appointment of each member, the term for which he was appointed and the date of the death or retirement of each member, and such book shall be regularly kept up so as to show the period at which each of the bodies that has power to appoint should proceed to a new appointment, and the same particulars shall be observed with regard to members appointed by the State Government.

37. Sixty days before the expiration of the term of any existing appointment, the Registrar shall draw the attention of the President and of the Appointing Authority to the vacancy that will arise in order that such new appointment may be made to take effect from the day on which the corresponding old appointment will expire.

38. On the resignation, death, insolvency or lapse of appointment of any member of the COUNCIL under provisions of Section 25 of the Act the REGISTRAR shall draw the attention of the President and of the Appointing Authority to the vacancy thus caused in order that the same may be filled up.



**PART V*****Minutes of the Council***

39. The proceedings of the meetings of the Council shall be preserved in the form of printed minutes which shall be authenticated after confirmation by the signature of the president.

40. A copy of the minutes of each meeting shall be submitted to the President within 15 days of the meeting and attested by him and they shall then be sent to each member within 30 days of the meeting.

41. The minutes of the meeting shall contain such motions and amendments as have been moved and adopted or negatived with the names of the mover and the seconder, but without any record of observations made by any member at the meeting.

42. If any objections regarding the correctness of the minutes is received within 30 days of the despatch of the minutes by the Registrar, such objections together with the minutes as recorded and attested shall be put before the next meeting of the Council for confirmation. At this meeting no question shall be raised except as to the correctness of the records of the meeting.

Provided that if no objections regarding a decision taken by the Council at a meeting is received within 30 days of the despatch by the Registrar of the minutes of that particular meeting, such decision may, if expedient, be put into effect before the confirmation of the minutes at the next meeting.

Provided further that the President may direct that action be taken on a decision of the Council before the expiry of the period of 30 days mentioned above.

43. The minutes of the Council shall as soon as is practicable after their confirmation be made up in sheets and consecutively paged for insertion in volume which shall be permanently preserved. A copy of each volume shall be supplied free to each member of the Council.

44. A report shall be kept of the observations and of the discussions at the meetings of the Council in as accurate a manner as possible for the use of the members of the Council. The detailed proceedings of the meetings which shall be treated as "Confidential" shall be kept in the office and shall be open for members for inspection. A copy of the proceedings in whole or in part shall be supplied to any member who may apply for it. Such copy shall be marked "Confidential" and be supplied on the payment of a sum fixed by the President and not to exceed the cost of copying. No copy of proceedings held in camera shall be supplied, but such proceedings can be inspected by the members.

**PART VI*****Tenure of office and Powers and Duties of the President and Vice-President***

45. The President shall exercise such powers and perform such duties as are contained in the provisions of the Act, the Rules and Standing Orders of the Council. He shall do such acts as he considers necessary in the furtherance of the objects for which the Council is established.

46. If the office of the President is vacant or if the President for any reason is unable to exercise the powers or perform the duties of his office, the Vice President will act in his place and shall exercise the powers and perform the duties of the President.

**PART VII*****Executive Committee***

47. The Executive Committee shall consist of President and Vice-President ex-officio and three members elected by ballot at the first meeting of the Council. Of the three members so elected there shall be at least two Registered Pharmacists. The Executive Committee so elected shall hold office till the election of the new Executive Committee.

48. The Executive Committee shall ordinarily meet once every month on such date as may be fixed by the President.

49. For a meeting of the Executive Committee three members including the President and the Vice President shall be a quorum.

50. Should these occur during the recess any vacancy in the Executive Committee they shall be empowered to fill up such vacancy except in cases where a summons has been issued for a meeting of the Council when the Council itself shall elect. Should any member of the Executive Committee be absent from two consecutive meetings without leave of the Committee he shall ipso facto cease to be a member of the Committee. If the period of leave exceeds one year a vacancy is thereby created.

51. In case of the death of the Registrar or his incapacity from his illness or on leave when the Council is not in session the Executive Committee shall appoint a person to perform temporarily the duties of Registrar. The Executive Committee shall grant leave to the Registrar in accordance with the principles laid down in the Civil Service Regulations of the state.

52. The Executive Committee shall keep minutes of their proceedings which shall be dealt with according to the same procedure as that indicated in Part V of the Minutes of the Council.



53. The Executive Committee shall superintend the publication of the Pharmacist Register which shall be prepared by the Registrar who shall cause it to be printed after entering therein annually statement of the distribution of the copies of the Registrar to the State Government Officers as approved by the Government and the Pharmacy Council of India and to others as may be directed by the Executive Committee.

54. The Executive Committee shall order each year such number of copies of this Pharmacy Register to be printed as may seem to the Registrar to be required on a revision of the annual distribution list.

55. The Executive Committee shall consider and prepare reports upon any subjects that may seem to require the attention of the Council and such Reports shall be printed and circulated among the members of the Council ten days at least before the meeting of the Council.

56. The Executive Committee shall, before each meeting of the Council, prepare the business for the consideration of the Council.

57. The printing of the volumes of Minutes shall be under the direction of Executive Committee.

58. All petitions presented to the Council shall be referred to the Executive Committee to be examined and reported upon before being considered by the Council.

59. Subject to the provisions of the preceding rule, all petitions addressed to the Council immediately before or during the sessions of the Council shall be laid upon the table.

60. The Executive Committee shall prepare reports on such subjects as may be indicated to them by the Council at its sittings or by the President at other times. The reports when finally approved by the Committee shall be presented to the Council.

## PART VIII

### *Sub-Committees*

61. (1) The Council may constitute Sub-Committees and may appointed to such Sub-Committees, persons who are not members of the Council to report upon any matters, which it may deem necessary to refer to them.

(2) The Members of a Sub-Committee appointed under rule 61(1) shall not be entitled to any fee for attending any meeting of the Sub-Committee. They shall be entitled to travelling expenses only.

## PART IX

### *Fees for attending Council and other expenses.*

62. For attendance on the Council, the Executive Committee or Sub-Committee etc. and for travelling expenses thereof the scale of fees shall be as set forth in the following Rules:

63. The rate of payment for attendance on the Council shall be the same for all the members of the Council.

64. The fees for attendance on the Council shall be not less than twenty-rupees a day for each member attending.

65. The travelling expenses of members shall be paid as follows:

- (1) Officials should draw the travelling expenses which they are entitled to claim according to their grades under the Fundamental (Rules or Civil Services) Rules as the case may be.
- (2) A non-official member should be allowed one and a half first class ticket halting allowances and road mileage according to the rules applicable to first class Government officers. The halting allowances will be admissible for any day for which he is required to halt at a place which is not the place where his permanent residence is situated on the business of the Council or the Committee or Sub-Committee etc.
- (3) Employees of the Council shall be entitled to Travelling Allowances at the same rate as Govt. servants of the same State. The Registrar of the Council shall, however, be considered to be of the rank of an officer of the State service.

N.B: In the event of a member actually travelling throughout the 24 hours between midnight and midnight halting allowances would not be admissible. On the other hand should he halt for less than 24 hours for a meeting, he would be entitled to it.

66. The fees for attendance at the meetings of the Executive Committee shall be not less than twenty rupees a day with the usual travelling expenses as under Rule 65.

## PART X

### *Prosecutions*

67. If the information is received by the Registrar that an offence under the Pharmacy Act, 1948 has been committed, he shall if there is a complaint require such complainant to produce by means of a statutory declaration or otherwise, prima facie proof the matters complained of.

68. The Registrar shall thereon bring the matter before the Executive committee, who if so empowered under the provisions of the Act may institute proceedings in the matter or may decide to recommend to the Government to take necessary action.

69. The Register of Pharmacists shall be maintained as required by sub-section (3) of section 29 of the Pharmacy Act, 1948 and as in Form E.

70. The names shall be entered in the Register of the order in which the applications for registration are admitted and



sufficient space shall be left for future additions and alterations in the qualifications and address of each entry.

71. Each page of the Register shall be verified by the Registrar's signature.

72. (1) On the registration of every Pharmacist under the Act the Registrar shall grant such Pharmacist's certificate in Form F.

(2) In the event of a certificate issued under sub-rule (1) of Rule 72 being lost or accidentally destroyed the holder may at any time during which such certificate is in force apply to the Registrar under Rule 39 of the Pharmacy Act for a fresh certificate and the Registrar may if he thinks fit on satisfactory proof as to the identity of the applicant, grant such certificate on payment of a fee of Rs.5. Certificate issued under this sub-rule shall be marked "DUPLICATE".

73. Every person entitled under section 32 to be registered under the Act and desiring to have himself registered shall apply to the Registrar in Form G duly filled in and signed. Every such application shall be accompanied by the fee prescribed in Rule 83.

74. (1) The name of every person registered under the Act shall subject to the provisions contained in the Act as to the erasure of the entries and removal of names from the Registrar remain entered therein and the registration of such person shall hold good till the 31<sup>st</sup> of December of the year in which registration is made.

(2) Any person desiring to continue his registration shall submit to the Registrar an application previous to 1st of April of the year to which it relates and shall forward with such application the fee prescribed in that behalf in Rule 83.

(3) The Registrar may send to any Pharmacist who has not paid his renewal fees on the 1<sup>st</sup> day of January in the year in respect of which such fee is payable, a demand for payment thereof, which demand shall be by a letter sent by post addressed to the Pharmacist at his address in the Register.

(4) When a renewal fee is not paid before the due date, the Registrar shall remove the name of the defaulter from the Register. Provided that a name so removed may be restored to the Register as per Section 37 of the Act on payment of fee and penalty as prescribed in Rule 83.

75. (1) An application for registration of an additional qualification under Section 35 of the Act shall be in Form H and shall be accompanied by the fee prescribed in this behalf in Rule 83.

(2) On Registration of additional qualifications under Rule 75(1) the Registrar shall grant such Pharmacist a certificate in Form I.

76. Any appeal to the Council against a refusal of the Registrar to register in the case of first registration or alter any entry in the Register must state the grounds on which registration is claimed and furnish the names of the qualifications and the dates on which they were received. On receipt of such an appeal the Executive Committee shall conduct an enquiry and submit a report to the Council.

77. Certified copies of entries in the Register in Form J may be issued to any one on payment of a fee as per Rule 83.

78. A fee as per Rule 83 shall be levied for Registering a change of name in the Pharmacists Register.

79. (1) The Council may erase from the Register the name of any person who—

- (a) has requested that his name be removed from the Register in which case such person may be required to file a declaration that no disciplinary or criminal proceedings are being or likely to be taken against him.

Or

- (b) has failed within a period to be determined by the Council to furnish to the Registrar with such information as the Council may require.

(2) The Council may erase from the Register the name of any person whose name before or after the commencement of the Act has been removed from the roll, register or record of any University, Hospital, Society or other body from which that person received the degree, diploma or certificate in respect of the holding whereof he was registered and any registration certificate issued to such person shall be deemed to be cancelled as from the date of such eraser.

The Registrar shall bring such application before the next meeting of the Council or Executive Committee who will consider the application and any objections thereto, and the President may put from the Chair the Question:

Whether the Registrar shall erase the name (the applicant's name) from the Pharmacy Register.

80. The Registrar shall as soon as may be after 1<sup>st</sup> day of April in each year cause to be printed copies of the Registers as they stood on the said date and such copies shall be made available to persons applying therefor on payment of the prescribed charge and shall be evidence that on the said date, the persons whose names are entered therein were registered Pharmacists. The Registrar shall keep an interleaved copy of such printed list, wherein he shall make during the year any entry, alterations, or erasure that may be necessary.

81. (1) It shall be the duty of every registered person who changes his address to intimate the fact to the Registrar within one month after such change.



(2) Every District Registrar of Deaths who receives a death notice showing that the deceased belonged to profession or calling the members of which are registrable under the Pharmacy Act, shall forthwith notify the Registrar of the Council of such death.

82. There shall be made every year and entered in the printed Pharmacy Register an enumeration of —

- (1) The total number of persons in the published Register,
- (2) The number of persons added by registration during the year.
- (3) The number restored to the Register.
- (4) The number erased from the Register stating the section of the Act under which the name has been erased, and
- (5) The number removed by death.

## PART XII

### *Fees*

83. The following fees are prescribed by the Council—

	<u>Rs. A. P.</u>
For the first registration in the Register	5 0 0
For every qualification or status subsequently registered	2 0 0
For restoration to the Register after removal for non payments of annual retention fee in addition to retention fee for the year or years during which the name remained removed.	3 0 0
For annual retentions	3 0 0
For restoration to the Register under Section 37 of the Act	10 0 0
For registration of a change of name	3 0 0
For every certified copy of an entry in Register	3 0 0
For a Duplicate Certificate under Rule 72	5 0 0

Together with stamp duty leviable under the Indian Stamp Act, 1899 or any other law for the time being in force relating to the levy of the Stamp Duty.

## PART XIII

### *Penal Removals from the Pharmacy Register*

84. Every person registered under the Act who has been found after inquiry by the Executive Committee to have been guilty of improper conduct which when regard is had to such

person's profession or calling is improper shall be liable to one of the following penalties:--

- (a) caution or reprimand or a reprimand and caution,
- (b) suspension for a specified period from practising or performing acts pertaining to Pharmacy, or
- (c) erasure of his name from the Register.

85. If at any time it is made to appear by affidavit that a person registered under this Act has become mentally or physically disable to the extent that the continued practising of such person is contrary to the Public Welfare the Executive Committee may hold inquiry into the facts submitted and may order the suspension of such person for a specified period from carrying on his profession or practice of Pharmacy.

86. Whenever information reaches the Office of the Council that a Pharmacist has been convicted of a cognisable offence or has been under the censure of any judicial or other competent authority in relation to his professional character or has been guilty of conduct which prima facie constitutes infamous conduct in a professional respect the Registrar shall make an abstract of information and shall submit the same to the President.

87. Where the information in question is in the nature of a complaint by a person or body charging the Pharmacist with infamous conduct in professional respect such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the case.

88. Every declaration must state the description and true place of abode of the declarant and where a fact stated in a declaration is not within the personal knowledge of the declarant the source of the information and grounds for the belief of the declarant in its truth must be accurately and fully stated. Declarations and parts of declarations which are made in contravention of this Rule will not be accepted as evidence.

89. The abstract and where a complaint has been lodged, the complaint and all other documents bearing on the case shall be submitted by the Registrar to the President who shall, if he thinks fit instruct the Registrar to ask the Pharmacist by means of a registered letter for any explanation he may have to offer. The documents including any explanation forwarded by the Pharmacist to the Registrar, shall then be referred to the Executive Committee who shall consider the same and shall have power to cause further investigation to be made and further evidence to be taken and to refer if necessary to a Solicitor for his advice and assistance and to instruct him to take the opinion of the Council and otherwise to obtain such advice and assistance as they shall think fit. If the Committee are of the opinion that a prima facie case is not made out, the



case shall not proceed further and the Registrar shall inform the complainant of the Resolution of the Committee. If the Committee are of the opinion that the circumstances suggest that a letter of warning be sent, the Committee are empowered to send it. If the Committee resolve that the case is one in which an enquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the Executive Committee.

90. An inquiry with a view to the removal of a name from the Registrar under section 36 shall be instituted by the issue of a notice in writing on behalf of the Executive Committee by the Registrar addressed to the Pharmacist. Such notice shall specify the nature and particulars of the charge and will inform him of the day on which the Executive Committee intend to deal with the case and shall call upon the Pharmacist to answer the charge in writing and to attend before the Executive Committee on such day. The notice shall be in Form K with such variations as circumstances may require and shall be sent three weeks before the date of enquiry.

91. In every case in which the Executive Committee resolve that an enquiry shall be instituted and a notice for an enquiry is issued accordingly either party shall for the purpose of his defence of reply as the case may be and upon request in writing for that purpose signed by himself or his Solicitors be entitled to be supplied by the Registrar with a copy of any declaration, explanation or answer or other document given or sent to the Executive Committee by or on behalf of the other party which such other party will be entitled on proper proof to use at the hearing as evidence in support of or in answer to the charge specified in the notice of inquiry and every notice of enquiry shall draw the particular attention of the Pharmacist to this Rule.

92. Any answer/evidence or statement forwarded or application made by the Pharmacist between the date of the issue of the notice and the day named for the hearing of the charge shall be dealt with by the President in such manner as he under legal advice shall think fit.

93. All material documents which are to be laid before the Executive Committee as evidence in regard to the case shall be printed and a copy shall be furnished to each of the Counsel before the hearing of the case.

94. At the hearing of the case by the Executive Committee their Solicitor may be present to advise as to the conduct of the case and a Counsel employed by them may act as judicial Assessor. The complainant and also the Pharmacist may be represented or assisted by a Solicitor with or without a Counsel.

95. Where a complainant appears personally or by a Counsel or Solicitor the following will be the order of procedure:-

- (1) The Registrar will read to the Executive Committee the notice of the inquiry addressed to the Pharmacist.
- (2) The complainant will then be invited to state his case by himself or by his legal representative and to produce his proofs in support of it. At the conclusion of the complainant's proofs his case will be closed.
- (3) The Pharmacist will then be invited to state his case by himself or by his legal representative and to produce his proofs in support of it. He may address the Executive Committee either before or at the conclusion of his proofs but only once.
- (4) At the conclusion of the Pharmacist's case, the Executive Committee will, if the Pharmacist has produced evidence, hear the complainant in reply on the case generally but will hear no further evidence except in any special case in which the Executive Committee may think fit to produce such further evidence. If the Pharmacist produces no evidence the complainant will not be heard in reply except by special leave of the Executive Committee.
- (5) Where a witness is produced by any party before the Executive Committee he will be first examined by the party producing him and then cross-examined by the adverse party and then re-examined by the party producing him. The Executive Committee reserves to itself the right to decline to admit in evidence any declaration where the declarant is not present or decline to submit to cross-examination.
- (6) The President and the Judicial Assessor when present may put questions to any witness and members of the Executive Committee through the President, may also put questions to any witness.

96. Where there is no complaint or no complainant appears the following will be the order of procedure:-

- (1) The Registrar will read to the Executive Committee the notice of inquiry addressed to the Pharmacist and will state the facts of the case and produce before the Executive Committee----- the evidence by which it is supported.
- (2) The Pharmacist will then be invited to state his case by himself or by his legal Representatives and to produce his proofs in support of it. He may address the Executive Committee either before or at the conclusion of his proofs but only once.



- (3) The Solicitor to the Executive Committee may be heard in reply if the Executive Committee so desires.

97. Upon the conclusion of the case the Executive Committee will deliberate thereon in private and at the conclusion of the deliberation the President shall for the purpose of summing up the result of the deliberations call upon the Executive Committee to vote on such of the following Resolutions to be put from the Chair as may be applicable to the circumstances of the case:--

- (1) In the case of a Pharmacist who has been convicted of a cognisable offence as defined in the Code of Criminal Procedure, 1898, alleged against him in the notice of inquiry:--

"That----- has proved to have been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1898, alleged against him in the notice of inquiry."

- (2) In the case of a Pharmacist charged with infamous conduct in a professional respect:-

(a) "That the Executive Committee do now proceed to decide the facts alleged against ----- in the notice of inquiry have been proved or have not been proved."

If this Resolution is not carried the further hearing of the case will stand adjourned till the next or some other future session of the Executive Committee as the Executive Committee shall direct and the hearing thereof will be taken at such next future session as an adjourned case.

If this Resolution is carried, the Executive Committee shall be called upon by the President to vote on the following Resolution to be put from the Chair.

(b) "That the fact or the following facts (specifying them) alleged against ----- in the nature of inquiry have been proved to the satisfaction of the Executive Committee."

If this Resolution is carried the Executive Committee may either proceed to judge whether on the facts proved the accused Pharmacist has been guilty of infamous conduct in a professional respect and to direct the Registrar to erase his name from the Pharmacists' Register or may postpone its judgement and adjourn the case until the next or some other future session.

- (3) In the case of a Pharmacist convicted of a felony (or misdemeanour or crime or offence) or charged with infamous conduct in a professional respect for the purpose of deciding whether or not the judgement of

the Executive Committee of the conviction (or facts) proved shall be postponed and the Executive Committee shall be called upon by the President to vote on the following Resolution to be put from the Chair:--

(c) "That the Executive Committee do now proceed to pronounce their judgement on the conviction (or facts) proved against -----."

If this Resolution is not carried the judgement of the Executive Committee will stand postponed till the next or some other future Session of the Executive Committee as the Executive Committee shall direct and the case will be taken at such next or other future session as a case in which judgement has been postponed.

If this Resolution is carried, the Executive Committee shall proceed at once to pronounce its judgement on the case and shall be called upon by the President to vote upon the following Resolution to be put from the Chair:

In the case of a conviction:--

(d) "That----- having been proved to have been convicted of the felony (or misdemeanour or crime or offence) alleged against him in the notice of inquiry, the Registrar be directed to erase his name from the Pharmacists Register."

In the case of a Pharmacist charged with infamous conduct in a professional respect:--

(e) "That the Executive Committee do now judge----- to have been guilty of infamous conduct in a professional respect and to direct the Registrar to erase from the Pharmacist Register the name of-----".

If the Resolution (d) or (e) as the case may be is not carried, the President may announce the judgement of the Executive Committee in the form:

"That the Executive Committee do not see fit to direct the Registrar to erase from the Pharmacist Register the name of -----."

98. In the event of an adjournment of the hearing or a postponement of judgement to another Session, the Executive Committee on the case coming on again for consideration may hear the Pharmacist and the complainant (if any) on the day fixed for the further consideration and shall request the attendance of the Pharmacist on that day before the Executive Committee and the complainant and the Pharmacist shall each be requested to furnish to the Registrar in writing not less than fifteen days before the day so fixed, a statement in writing of any further facts or evidence which he may desire to be laid before the Executive Committee.



The notice shall be given so as to allow at least twenty-eight days between the day on which the notice is given and the day appointed for the further consideration. No further facts or evidence presented by a party to the inquiry shall be received or considered by the Executive Committee unless a statement thereof has been previously furnished to the Registrar in compliance with this rule.

99. On the case coming before the Executive Committee for further consideration the Solicitor if present or the REGISTRAR when the Solicitor is not present shall if necessary state the facts and explain the position of the case to the Executive Committee. The Pharmacist shall then be invited to address the Executive Committee either personally or by his legal representative of which he may have duly given notice to the REGISTRAR and the complainant (if any) shall then be invited to address the Executive Committee either personally or by his legal representative and lay before the Executive Committee any further evidence of which he may have duly given such notice.

At the conclusion of the further hearing, the Executive Committee shall deliberate on the case in private and at the conclusion of the deliberation the President shall call upon the Executive Committee to vote in an adjourned case on the same resolution as at the original hearing and in a case in which judgement was postponed on Resolution (3) (c) and (d) and (e) in Rule 97 as the case may be.

100. If under the direction of the Executive Committee all the qualifications of any Pharmacist have been erased from the Pharmacists Register then the Executive Committee shall, if it thinks fit by formal Resolution put by the President from the Chair direct the Registrar to remove the name of such Pharmacist from the Pharmacy Register.

101. An order by the Executive Committee to remove the name of a Registered Pharmacist under the provisions of section 36(1) shall be subject to confirmation by the State Pharmacy Council under section 36(c) and shall not take effect until the expiry of three months from the date of such confirmation.

102. The REGISTRAR shall upon the removal of any name from the Register pursuant to the provisions of the preceding clauses or of section 36 of the Act, forthwith send notice of such removal to the Pharmacist and such notice shall be sent by a Registered letter addressed to the last known address or to the registered address of the Pharmacist. The REGISTRAR shall also send forthwith intimation of any such removal to the Licensing Authority under the Drugs Act of the State and also to the Dean or Secretary or other proper officer of any Body or Bodies from which the Pharmacist has received his qualification or qualifications:-

A person whose name has been removed from the Register under the provisions of these rules shall forthwith

surrender his certificate of registration to the REGISTRAR and the names so removed shall be published in official Gazette.

103. The Registrar shall within one month after any names have been removed from the Pharmacy Register by order of the Executive Committee under Section 36 of the Act send to the Bodies concerned a list of all such names and shall call the attention of each Licensing Body to the following Rule of the Executive Committee:--

"The Executive Committee recommends that no person whose name has been once removed from and has not been restored to the Pharmacy Register shall without previous reference to the Executive Committee be admitted to examination for any new qualification which is registerable in the Pharmacists Register."

#### PART XIV

##### *Restoration of name to the Pharmacist Register*

104. Application for restoration to the Pharmacy Register of a name removed under section 36 of the Act, shall be entertained at the next Session of the Council only.

105. The Executive Committee may on application received from a person whose name has been erased from the Register under Section 34 direct the Registrar, if it thinks fit, to re-enter the name in the Register.

106. No application for the re-entry of a name erased from the Register under Section 34 shall be entertained unless it is accompanied by an application from the applicant in Form L and by the following documents:-

- (a) Applicant's Diploma
- (b) His certificate of registration in original.

107. Any person whose name has been removed from the Register by the direction of the Council under Section 36 but who still possess a qualification entitling him to be registered under the Act, may make an application to the Council for the re-entry of his name in the Register and the following procedure shall be followed in the case of every such application:--

- (1) The application shall be in writing addressed to the Council and signed by the applicant and shall state the grounds on which the application is made.
- (2) The application shall be accompanied by:
  - (a) a declaration made by the applicant setting forth the facts of the case and stating that he is the person originally registered, and
  - (b) by one of the following documents:
    - (i) Applicant's diploma



- (ii) His certificate of registration in original if the same has not been already returned by him in accordance with the provisions of Section 36 (5) of the Pharmacy Act, 1948.
  - (iii) A certificate in the form M from two Pharmacists registered under the Act as to his identity.
- (3) The statement in the application shall also be verified by certificates in writing to be given by two Pharmacists registered under the Act who are resident in the neighbourhood of the place where the applicant has been residing since the removal of his name and they shall testify to his present good character.
  - (4) Before the application is considered by the Council the Registrar shall notify the same to the licensing Bodies whose qualifications were held by the applicant at the time his name was removed and shall further by letter addressed to the person or body (if any) on whose complaint the applicant's name was removed, give notice of the application and of the time when the Council intends to consider the same.
  - (5) The Council shall consider the application and may, if it thinks fit, adjourn the consideration of it to a future date or require further evidence or explanation from the applicant.
  - (6) The application and the certificates referred in sub-rule (3) shall be in Form N and O in the Appendix with such variations as circumstances may require. Printed Forms shall be kept by the Registrar who shall apply them to intending applicant.

#### PART XV

##### *Registrar, Clerks and Office hours.*

**108.** The qualifications and the scale of pay for the post of the Registrar shall be fixed by the Council with the previous approval of the State Government. In respect of grant of leave and travelling and other allowances to the Registrar, the Council shall generally be guided by the principles laid down in the Civil Services Rules of the State.

**109.** The post of the Registrar shall be on a permanent tenure. In the case of a new appointment there shall be a probationary period of one year. The Registrar shall be a full time officer of the Council.

**110.** The Registrar shall keep his registers in accordance with the provisions of the Act and the Rules and Regulations of the Council.

**111.** The Registrar shall be present at every meeting of the Council and of the Executive Committee and shall take minutes of the proceedings at such meetings.

112. The Registrar as Secretary shall conduct and have charge of the correspondence of the Council and shall issue all requisite notices in the manner required under these Rules.

113. The Registrar shall fulfil all the duties that may be required of him by the Rules and Regulations for the time being of the Council.

114. Public Holidays except the office of the Registrar shall be kept open during the days when Government Secretariat Offices are kept open. The Registrar shall not absent himself from duties unless with the permission from the President. The President shall grant leave to the Registrar in accordance with the principles laid down in the Civil Services Rules of the State.

115. The Registrar shall be authorised to obtain whatever temporary additional assistance that may be required subject to the sanction of the President.

116. The Registrar shall have the general control of the management of the office authority over the Clerks and Servants and Superintendents of the building.

117. The duties of the Clerks shall be assigned to them by the Registrar under the direction of Executive Committee.

118. The Clerks shall attend at the office on all the days when Government Secretariat Offices are kept open and at other times when necessary and they shall not be absent from the duties unless by permission from the Registrar.

119. The Peons shall attend office according to the orders of the State Government in that matter. Leave to Peons shall be granted by the Registrar in accordance with the principles laid down in the State Civil Services Rules.

## PART XVI

### *Corporate Seal*

120. The Corporate Seal shall be kept in a box having two different locks and the key of one of these locks shall be in the custody of the President and the key of the other lock in the custody of the Registrar.

121. The Seal shall be affixed only by order of the Council or, when the Council is not sitting by order of the Executive Committee but its use by such Committee shall be limited to such acts as may be necessary to carry into effect the powers delegated to it by the Council.

122. Any order for affixing the seal shall state the object of its use, and shall be entered in the Minutes of the Council, or of the Executive Committee as the case may be.



**PART XVII*****Inspection of Documents***

The following shall be the conditions on which leave is granted to members of the Council to inspect the documents of the Council when not required for use by its legal advisers:-

123. A notice in writing of three clear days shall be given to the Registrar, except when the Council is in Session when special leave may be granted.

124. The subject of the documents needed for inspection shall be stated.

125. The Registrar shall be held responsible for the safe custody of all documents.

126. It shall be an instruction to the Registrar to have documents so arranged with respect to chronological order or otherwise as to facilitate their inspection during office hours.

127. Documents under inspection shall not be removed from the premises of the Council.

128. All such documents and the information derived therefrom shall be regarded as strictly confidential.

**PART XVIII*****Accounts***

129. The Council is authorised to receive for the purpose of its expenses, benefactions and contributions from private persons and bodies and the proceeds of the sale of reports and other publications.

130. An Account shall be opened in the Bank of.....  
..... in the name of the Council and all the moneys of the Council shall be deposited in the Bank subject to the reservation mentioned in Rule 131.

131. The Registrar, if appointed, as a Treasurer under section 26(a) of the Act shall receive all moneys payable to the Council. He shall not retain in his hand a sum of more than Rs.100 the balance being lodged in the Bank to the credit of the Council.

132. The Registrar, as the Treasurer, shall superintend the details of Income and Expenditure of the State Pharmacy Council and shall at each ordinary meeting at the Executive Committee submit a Financial Statement showing the transaction of the State Pharmacy Council for the month previous to one in which the meeting is held. This statement shall if possible be sent out with the notice calling the meeting.

133. The Registrar shall in the month of July in each year prepare a statement of income and expenditure of the preceding financial year ending 31<sup>st</sup> March and draw the attention of the Council to such matters as seem deserving of notice.

134. The annual accounts shall be made up by the Registrar under the direction of the Executive Committee.

135. In the month of September each year, an estimate of the revenue and of the expenditure of the Council for the year commencing on 1<sup>st</sup> April next ensuing shall be laid before the Council.

136. Such estimate shall make provisions for the fulfilment of the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, besides all revenues ordinarily anticipated and all fees received from registration and other sources and the amount expected from the State Government by way of grant.

137. The Council shall consider the estimate so submitted to it and shall sanction the same either unaltered or subject to such alterations as shall be deemed fit.

138. The Council may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.

139. A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 50 and the bill is in order, he shall pay it. If the claim is for a sum exceeding Rs. 50 and the bill is in order, payment shall be made after it is sanctioned by the President.

140. The Registrar shall immediately bring into account in the General Cash Book all moneys received or spent by the Council.

141. All cheques on the Bank be signed by the President or his nominee and the Registrar.



## APPENDIX

## FORM 'A'

## RULE 5

*Notice of election****Election of a member or members of the  
State Pharmacy Council***

Notice is hereby given pursuant to the provisions of Rule 5 of the Rules and Regulations of the \_\_\_\_\_ State Pharmacy Council that the election of \_\_\_\_\_ members of the \_\_\_\_\_ State Pharmacy Council to serve during the period expiring \_\_\_\_\_ day of \_\_\_\_\_ is about to be held.

Nominations of eligible persons to fill the vacancy are invited.

Each candidate must be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of any number of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper must be in the Form B to Rule 6 (3) giving all the details required therein.

The nomination paper must reach the undersigned not later than \_\_\_\_\_ day of \_\_\_\_\_ from whom forms of nomination papers may be obtained on application.

Nomination papers in respect of which provision of Part I of the Rules have not been complied with, or which are not received by the Returning Officer by the aforesaid date will be invalid.

\_\_\_\_\_  
Returning Officer

Address \_\_\_\_\_

Date \_\_\_\_\_

## FORM 'B'

## RULE 6(3)

*Form of Nomination paper****Election of member or members of the \_\_\_\_\_  
State Pharmacy Council***

I, the undersigned being a registered Pharmacist, hereby nominate (a) SATISH CHAND VIJ registered as a Pharmacist, his registered number being (b) 001352 as a candidate





- (a) Number of candidates to be elected.
- (b) Names to be printed in alphabetical order.

*Instructions*

- (1) Each elector has \_\_\_\_\_ votes.
- (2) He shall vote by placing the mark X opposite the names of the candidates whom he prefers.
- (3) The voting paper shall be invalid if the mark X is placed opposite the names of more than \_\_\_\_\_ candidates or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.
- (4) The elector shall enclose the voting paper in the identification cover and then enclose that cover in a bigger cover in the left hand lower corner of which the elector shall write his full name and signature. If the elector fails to write his full name and signature the voting paper shall be invalid.
- (5) A voting paper will be invalidated if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration thereon duly completed.
- (6) Every Elector shall send his voting paper in a separate cover direct to the Returning Officer.
- (7) If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
- (8) If more than one mark is placed before the name of any candidate the whole voting paper will be disqualified.
- (9) This paper must be folded "Face Inwards" and placed in the accompanying "Identification Envelope" which must be securely closed and then placed in a covering envelope.

**FORM 'D'**

**RULE 6(11)**

*Form of Declaration on Identification Envelope*  
 \_\_\_\_\_  
**STATE PHARMACY COUNCIL**

I (a) \_\_\_\_\_ of \_\_\_\_\_ hereby declare that I am the person to whom the enclosed voting paper was addressed, that I am registered Pharmacist (b) \_\_\_\_\_ and that I have not returned any other voting paper in this election.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Signed in presence of (c) \_\_\_\_\_

(1) Signature \_\_\_\_\_

(2) Signature \_\_\_\_\_

- 
- (a) Insert full name
  - (b) Insert Register Number
  - (c) There must be two witnesses.

**FORM 'E'**  
**RULE 69**

*Form of Register of Pharmacist*

1. Serial Number
2. Name in full
3. Residential address
4. Date of first admission to the register
5. Qualifications for registration
6. Name of the employer
7. Professional address
8. Date of Birth
9. Nationality
10. Date of renewal of registration
11. Remarks (note removal or restoration of names with dates).

**FORM "F"**

**RULE 72 (1)**

Pharmacy Council

Of the State of \_\_\_\_\_

(SEAL)

No. \_\_\_\_\_

Date \_\_\_\_\_

This is to certify that \_\_\_\_\_

has been duly registered as a

**REGISTERED PHARMACIST**

And is entitled to all the privileges granted under authority of an Act to regulate the practice of Pharmacy in the State of \_\_\_\_\_ being Act No. VIII of 1948 as amended.

In witness whereof are herewith affixed the seal of the \_\_\_\_\_ Pharmacy Council and the signature of the Registrar of the said Pharmacy Council.

Seal

Registrar

This certificate is the property of \_\_\_\_\_ State Pharmacy Council \_\_\_\_\_ and is issued to the above-named Pharmacist in accordance with rule 72(1) of the \_\_\_\_\_ State Pharmacy Rules.



**<sup>1</sup>FORM G****FORM OF APPLICATION FOR REGISTRATION OF  
PHARMACISTS***(Under Section 32 of the Pharmacy Act, 1948)**Draft of the Revised Application Form**Forming Rule 73*

To

The Registrar, Punjab Pharmacy Council

Sir,

I request that my name may be registered as a Pharmacist under the Pharmacy Act, 1948, and that I may be furnished with a certificate of registration.

2. Necessary particulars are given on the reverse of this application.

3. I enclose herewith for your perusal and return the certificates in original and their copies for record in your office.

4. I hereby declare that I have read carefully and understood the instructions and particulars supplied to me and that all entries on the reverse of this application are true to the best of my knowledge and belief.

5. I agree that I will follow the rules of the Pharmacy Council which may be laid down for the guidance of the registered pharmacists from time to time.

Yours faithfully,

Address \_\_\_\_\_

Dated.....

**INSTRUCTIONS**

1. All particulars of the application must be filled in by the applicant in neat legible hand.

2. The names and particulars entered in this application must exactly correspond with the name and particulars of the applicant entered at the University or other examination.

3. Registration fee of Rs.5 should be sent to the Registrar by money order or handed in person. The registration fee is not refundable whether the application for registration is accepted or rejected.

4. Under the Pharmacy Act, 1948, as it stands at present only persons who have passed the Matriculation or its equivalent examination are eligible for registration.

<sup>1</sup>Substituted by Punjab Government Notification No. 11528-2HB-53/82085 dated 21<sup>st</sup> October, 1953.

5. Sections 31, 32, and 41 of the Pharmacy Act are attached with this application for the information of the applicant.

6. A copy of rule 74(1) and (2) regarding renewal of registration is attached for information:

- (1) Name in full \_\_\_\_\_
- (2) Father's Name \_\_\_\_\_
- (3) Place and date of birth (proof of age to be attached)
- (4) Nationality \_\_\_\_\_
- (5) Permanent residential address \_\_\_\_\_
- (6) Address of the Hospital, Dispensary or other place in which employed at present \_\_\_\_\_
- (7) Year of passing the Matriculation Examination or an examination prescribed as being equivalent to Matriculation Examination (Kindly attach original certificate with a copy).
- (8) Description of qualification as a Pharmacist (kindly attach original certificate with a copy).
- (9) Name of the examining body.
- (10) Name of the institution under which training undergone.
- (11) Year of passing the examination.

Signature \_\_\_\_\_

Dated.....

Note: Till 17<sup>th</sup> December, 1954, persons with an approved qualification under section 31(b) and (d) of the Pharmacy Act should submit a declaration that they have been engaged in a place in which drugs have been regularly dispensed on prescriptions of medical practitioner for 5 years before the 3<sup>rd</sup> October, 1949, together with two certificates signed by registered medical practitioners to this effect.

### FORM 'H'

#### Rule 75 (1)

#### *Application for Registration of Additional Qualifications*

To

The Registrar,  
\_\_\_\_\_ State Pharmacy Council.

Sir,

I beg to apply for the registration of the additional qualifications of \_\_\_\_\_ which I have obtained from \_\_\_\_\_ in \_\_\_\_\_. The Diploma or Certificates of the Qualifications are enclosed herewith. These may be returned as soon as done with.

I am already registered under the Pharmacy Act, 1948 and my Registration Number is.....

The prescribed fee of Rs..... is sent herewith.

Yours faithfully,

(Signature of the Applicant)

Dated..... the .....



## FORM "I"

## Rule 75 (2)

*Registration of Additional Qualifications.**(Under Section 35 of the Indian Pharmacy Act, 1948)*

The additional Diploma/Certificate appearing below have been inserted in the Register of Pharmacists for the \_\_\_\_\_ State against the names of Shri/Shrimati \_\_\_\_\_  
Registration No.

Diploma or Certificate Registered	Diploma or Certificates now Registered
_____	_____
_____	_____
_____	_____

Registrar.

## FORM 'J'

## Rule 77

*Certified Copy of Entries in the Register*

OFFICE OF THE PHARMACY COUNCIL

No.

Certified to be a true copy of the entry in the Pharmacy Register of the name specified below:

Name	Address	Date of Registration	Qualification
_____	_____	_____	_____

Registrar

N.B.: This certified copy remains evidence of registration only until the publication of the printed pharmacists Register for 19\_\_\_\_. It is not nor must it be used as evidence of the identity of the holder with the person named therein.

## FORM 'K'

## Rule 90

*Notice to a Pharmacist to attend proceedings for removal of his**Name from the Pharmacists Register under section 36**Of the Indian Pharmacy Act, 1948.*

Sir,

On behalf of the Executive Committee of the State Pharmacy Council, I give you notice that information and evidence have been laid before the Executive Committee by which the complainants make the following charge against you, namely (here

set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect.

Or that you were on the \_\_\_\_\_ day of \_\_\_\_\_ convicted of the following offence at \_\_\_\_\_ viz. (set out particulars of the conviction).

And I am directed further to give you notice that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ a meeting of the Executive Committee will be held at \_\_\_\_\_ at \_\_\_\_\_ o' clock in the \_\_\_\_\_ to consider the above-mentioned charges against you, and decide whether or not they should direct your name to be removed from the Register, pursuant to section 36 of the Pharmacy Act, 1948. You are invited and required to answer in writing the above charges and to attend before the Executive Committee at the above-mentioned place and time to establish any denial or defence that you may have to make up to the above-mentioned charges and you are hereby informed that if you do not attend as required the Executive Committee may proceed to hear and decide the said charges in your absence.

Any answer or other communication or application which you may desire to make respecting the said charges or your defence thereto must be addressed to the Registrar of the Council and transmitted so as to reach him not less than ----- days \_\_\_\_\_ before the day appointed for the hearing of the case.

Registrar

FORM 'L'

Rule 106

*Application for re-entry in the Register of Pharmacists of his name removed under Section 34 (2)*

To

The Pharmacy Council,  
\_\_\_\_\_  
\_\_\_\_\_

Sir,

I the undersigned (a) \_\_\_\_\_ holding the qualification of (b) \_\_\_\_\_ do solemnly and sincerely declare the following:

In the year (c) \_\_\_\_\_ my name was duly registered in the Register in respect of the following qualification, viz., (d) \_\_\_\_\_ and on the date of erasure of y name, I was registered in respect of the following additional qualifications, viz., (e) \_\_\_\_\_

The Registrar removed my name from the Register on (f) \_\_\_\_\_ for default in payment of renewal fee.

Since the removal of my name from the Register, I have been residing at (g) \_\_\_\_\_ and my occupation has been (h) \_\_\_\_\_



It is my intention if my name is restored in the Register to (i) \_\_\_\_\_

Declared at \_\_\_\_\_ on \_\_\_\_\_

Yours faithfully,

Witness (j)

Signature \_\_\_\_\_

(Signature)

Address \_\_\_\_\_

Registration No. \_\_\_\_\_

- (a) Insert full name
- (b) Insert qualifications
- (c) insert date of registration
- (d) Insert qualifications
- (e) Insert additional qualifications
- (f) Insert date of removal
- (g) State address
- (h) Give particulars
- (i) Insert particulars as to proposed future profession.
- (j) A registered pharmacist

**FORM 'M'**

**Rule 107 [2 (iii)]**

***Certificate in support of application.***

I hereby certify that the aforesaid applicant is the above specified \_\_\_\_\_ whose name formerly stood in the Register of Pharmacists under the Pharmacy Act, 1948, with the following address and qualification:-

Name.....

Address.....

Qualification .....

Date.....

Signature of the person certifying

Registration No.

**FORM 'N'**

**Rule 107 (6)**

***Statutory declaration by applicant for Restoration of name to the Registrar of Pharmacists under Section 36 of the Act.***

To

The Pharmacy Council

(1) I, the undersigned (a) \_\_\_\_\_ now holding the qualifications of (b) \_\_\_\_\_ do solemnly and sincerely declare that the following are the facts of my case and in reason

of which I seek re-entry of my name in the State Pharmacy Register.

(2) In the year of (c) my name was duly registered in the Register in respect of the following qualification, namely, (d) and on the date of removal of my name hereinafter mentioned I was registered in respect of the same qualification(s) (e) and also in respect of the following additional qualifications, namely

(3) At an enquiry held on the (1) day of the Council directed my name to be removed from the Register on a complaint made to the State Pharmacy Council by (g) of and the offence for which the Council directed the removal of my name was (h)

(4) Since the removal of my name from the register I have been residing at (1) and my occupation has been

(5) It is my intention if my name is re-entered in the Register (j).

(6) The grounds of application are (k)

(Signed)

Declared at \_\_\_\_\_ on \_\_\_\_\_ before me.

Presidency Magistrate or Commissioner of Oaths or Justice Of Peace.

- (a) Insert full name
- (b) Insert qualifications, if any
- (c) Insert date
- (d) Insert original qualifications
- (e) To be added to, if necessary.
- (f) Insert date of enquiry
- (g) Insert name and address of the complainant.
- (h) Insert charge on which name was removed.
- (i) The blanks in this paragraphs must be filled in accordance to circumstances.
- (j) Insert particulars as to proposed future professional occupation.
- (k) All facts and grounds on which the application is made should be clearly and concisely stated.

**FORM "O"**  
**Rule 106(6)**  
*Certified in support of application*

I, \_\_\_\_\_ of \_\_\_\_\_ certify as follows:

- (i) My registration No. is .....
- (ii) I have read paragraphs (4) and (5) of the application of \_\_\_\_\_ and say that I have been and am well acquainted with the said \_\_\_\_\_ both before and since his name was removed from the Register that I believe him to be now a person of good character and that the statements in the said paragraphs are to the best of my knowledge, information and belief true.

Signature.....  
Registration No.....

Address: \_\_\_\_\_