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STATE PHARMACY COUNCIL RULES,1951

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 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 26 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 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 authorised 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 present to the electorate concerned and shall publish. First published by Punjab Government Health Department Notification No.6924-2 HB51/II-3537, dated the 18th August,1951. These rules have been framed under section 46 of the Pharmacy Act,1948 in the Gazette notice inviting in Form 'A' the submission of notifications.
 - (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 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 Register and shall contain the name, qualifications and address of every person qualified to vote for the election of 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 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 the 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 on 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 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 the 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 elector 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 Retuning Officer,
 Pharmacy Council Office,
 ----- "
- (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 scrutineers 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 24 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 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 to 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 vote which shall be given at such a ballot for a person who has not been nominated shall be wholly void and ineffectual. 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 per cent of the votes cast, he shall be declared elected. In 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.

(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.

(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 6(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 the annual meeting of the Council for the 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(l)(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 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 expression 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 on of 50 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 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.

(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 seconding 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 President, 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 VI

APPOINTMENTS 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 & POWERS & DUTIES OF THE PRESIDENT & 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 Register 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 the 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 appoint 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 & 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 allowances, which they are entitled to claim according 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 of the Committee or Sub Committee, etc.

(3) Employees of the Council shall be entitled to Travelling Allowance at the same rate as Government 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 100/- 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.

PART XI

THE REGISTRATION

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 in 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 a 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 subrule 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 removed of names from the Register remain entered therein and the registration of such person shall hold good till the 31st 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 1st 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 fees and penalty as prescribed in Rule 83.

75. (1) An application for registration of 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 anyone 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 removed of any University, Hospital, Society or other body from when 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 erasure.

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 1st 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 thereof 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, alteration or erasure that may be necessary.

18. (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 registerable under the Pharmacy Act, shall forthwith notify the Registrar of the Council of such death.

82. These 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

FEEES

83. The following fees are prescribed by the Council

1. For the first registration in the Register 500/-
2. For every qualification or status subsequently Registered 200/-
3. 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 300/-
4. For annual retentions 300/-
5. For restoration to the Register under Section 37 of the Act 1000/-
6. For registration of a change of name 300/-
7. For every certified copy of an entry in Register 300/-
8. For a "Duplicate" Certificate under Rule 72 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. 500/-

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 teprimand 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 practicing 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 at further evidences 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 Register under Section 86 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 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 declines 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 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 Resolution 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 notice 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 Register to erase his name from the Pharmacists' Register or may postpone its judgment 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 judgment of the Executive Committee of the conviction (of 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 this judgment on the conviction (or facts) proved against -----,"

If this Resolution is not carried the judgment 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, judgment has been postponed.

If this Resolution is carried, the Executive Committee shall proceed at once to pronounce its judgment 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 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 judgment 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 judgment 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 shall 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 judgment was postponed on Resolution (3) (c) and (d) and (c) 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 clause 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 PHARMACISTS 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 Register, if it thinks fit, to re-enter the name in the Register.

106. No application for the re-enter 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 possesses a qualification entitling him to be registered under the Act, may make an application to the Council for the re-try 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) Application'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 Pharmacist 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 neighborhood 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 given 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 Forms N and O in the Appendix with such variations as circumstances may require. Printed Forms shall be kept by the Registrar who shall supply them to intending applicant.

PART XV

REGISTRAR, CLERKS & 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 Service 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 fulltime officer of the Council.

110. The Registrar shall keep his registers in accordance with the provisions of the Act and the Rules and Regulations on 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 fulfill all the duties that may be required of him by the Rules and Regulations for the time being of the Council.

114. Public Holidays excepted 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 time 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 Service 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 31st March and draw the attention of the Council to such matters as seem deserving of notice.

134. The annual account shall be made up by 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 1st April next ensuing shall be laid before the Council.

136. Such estimate shall make provisions for the fulfillment 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 for in a 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 a 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 member 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 or 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/after 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.

1. the undersigned being a Registered Pharmacist, hereby nominate
(a) _____ registered as a Pharmacist his registered number being (b) _____ as a candidate for election as a member of the _____ State Pharmacy Council at the forthcoming election.

Signature _____

Address _____

Registration No. _____

Date _____

We the undersigned second the proposal of Shri _____

Signature _____

Signature _____

Address _____

Address _____

Registration No. _____

Registration No. _____

Date _____

Date _____

I the undersigned hereby consent to accept nomination as a candidate for election to the _____ State Pharmacy Council.

Signature _____

Address _____

Registration No. _____

Date _____

(a) State name and full address

(b) State Registration number.

FORM 'C'
 RULE 6 (10)
Form of Voting Paper

ELECTION OF MEMBER OR MEMBERS OF THE _____
 STATE PHARMACY COUNCIL

Official mark of the Returning Officer Election of (a) _____ Member			
Column for Voter's Mark (X)	Name of Candidate (s)	Address	Registration Number

- (a) Number of candidates to be elected.
- (b) Names to be printed in a 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 o Identification Envelope

_____ STATE PHARMACY COUNCIL.

1. (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 _____

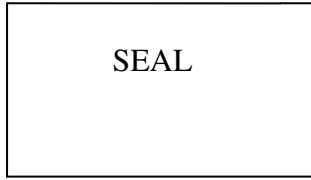
-
- (a) Insert full name.
 - (b) Insert Register Number.
 - (c) There must be two witness.

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 _____



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 _____, 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 abovenamed Pharmacist in accordance with rule 72(1) of the _____ State Pharmacy Rules.

FORM G
FORM OF APPLICATION FOR REGISTRATION OF PHARMACY
(Under Section 32 of the Pharmacy Act, 1948)
Draft of the Revised Application Form
Forming Rule 73

To

The Registrar, Punjab Pharmacy Council

Sir,

1. 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.3000/-** in case of **Fresh Registration** and **Rs.3500/-** in case of **Migration of Registration** is to be deposited in the Bank by getting a voucher from the office. 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, 10+2 examination and professional qualification or their equivalent examination are eligible for registration.

¹ Substituted by Punjab Government Notification No. 11526-2HB53/82085, dated 21st October, 1953.

5. Section 31, 32 and 41 of the Pharmacy Act are attached with this application for the information of the application.
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) **Years of passing 10+2 Examination** or an Examination prescribed as being equivalent to 10+2 Examination. (Kindly attach original certificate with a photocopy attested)
- (9) Description of qualification as a Pharmacist (kindly attach original certificate with a copy).
- (10) Name of the examining body.
- (11) Name of the institution under which training undergone.
- (12) Year of passing the examination.

Signature _____

Date _____

Note:- Till 17th 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 practitioners for 5 years before the 3rd October, 1949, together with two certificates signed by registered medical practitioners to this effect.]

FORM 'H'
Rule 75 (1)

Application for Registration of Additional Qualification

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 "T"
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 names of Shri/Shrimati _____.

Registration No. _____

Diplomas or Certificates already Diplomas or Certificates now

Registered	Registered
_____	_____
_____	_____
_____	_____

Date _____

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 Pharmacist 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 complaints make the following charge against you namely (here set out the circumstances briefly) and that in relation there to 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 their 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 qualifications 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 my 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 Registrar, 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 _____

Your faithfully

Witness (j)

Signature

Address

Registration No.

(Signature)

- (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 Pharmacist 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 the removal of my name here-in after mentioned I was registered in respect of the same qualifications (e) _____ and also in respect of the following additional qualifications, namely

(3) At an enquiry held on the (f) _____ 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 (i) _____ 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 10 (6)
Certificate 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.

Address:

Signature
Registration No.