

The Pharmacy Act 1948

Education Regulations (ER):

- Subject to the provision of Section 10 of the Pharmacy Act 1948, Central Council after approval of central government may make regulations prescribing the minimum standards of education required for qualification as pharmacist called Education Regulations.

Education Regulations may prescribe:

1. The nature and period of study and practical training.
 2. Minimum qualification for admission to the course.
 3. Subjects of examinations and their standard.
 4. The equipment's and facilities to be provided by the Institutions to the students.
 - 5 Any other conditions of admission to examination.
- Practical training shall be of not less than 500hrs spread over period of not less than three months.
 - Out of this 500 hrs period not less than 250 hrs must be devoted to actual dispensing of prescriptions.
 - The Education Regulations shall be published in the Official Gazette and in such other manner as the Central Council may direct

State Pharmacy Councils:

State Pharmacy Council and Joint Pharmacy Council are constituted by the state governments. Two or more states may also enter into an agreement for definite and specified periods to form Joint State Councils. The constitution of State Council is as:

➤ **Elected members:**

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

➤ **Nominated members:**

- Five members, of whom three are persons possessing a prescribed degree or diploma in pharmacy or pharmaceutical chemistry or registered pharmacist, nominated by State Government.

➤ **Ex-officio members:**

- Chief administrative Medical Officer of the state
- Officer in charge of Drugs Control Organization of the State
- Government Analyst

Joint State Pharmacy Councils

Two or more states enter into an agreement to form a joint state pharmacy council.

➤ **Elected members**

- Not less than three and not more than five members elected amongst themselves by the registered pharmacists of each of the participating States
- One member elected from amongst themselves by the members of Medical Council of each participating State

➤ **Nominated members**

- 2-4 members nominated by each State Government from the persons who hold degree or diploma in pharmacy.

➤ **Ex-officio members**

- Chief administrative Medical Officer of each participating state
- Officer in charge of Drugs Control Organization of each participating State
- Government Analyst of each participating state

❖ ***Election and Terms of office:***

- The president and vice president are elected by the members from amongst themselves.
- Period of 5 years
- Members are eligible for re-election
- Possess an executive committee similar to the central council.

❖ **Powers:**

- The state council may appoint Inspectors having the qualifications as per the Act
- Inspect any premises where drugs are compounded and dispensed.

- Enquire whether the person engaged in dispensing is a registered pharmacist or not.
- Investigate any complaint regarding contravention of the act
- Exercise such other powers as are necessary for certain purpose of this Act.

Registration of Pharmacist:

- Pharmacy Act provides for the registration of pharmacists to regulate the entry of person in this profession
- Name of the registered pharmacists are entered in the registers maintained by State councils
- The register shall include the following particulars, namely:
 - ✓ the full name and residential address of the registered personThe date of his first admission to the register
 - ✓ his qualifications for registration
 - ✓ his professional address, and if he is employed by any person, the name of such person
 - ✓ such further particulars as may be prescribed.

Qualifications for entry on first register:

- A person who has attained the age of eighteen years shall be entitled on payment of the prescribed fee to have his name entered in the first register if he resides or carries on the business or profession of pharmacy, in the State , and he must
 - ✓ holds a degree or diploma in pharmacy or pharmaceutical chemistry or a chemist and druggist diploma of an Indian University or a State Government. OR a prescribed qualification granted by an authority outside India; or
 - ✓ holds a degree of an Indian University other than a degree in pharmacy or pharmaceutical chemistry and has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than three years; or
 - ✓ has passed an examination recognized as adequate by the State Government for commoners or dispensers; or

- ✓ has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than five years prior to the date notified under subsection (2) of section 30.

Central Register:

- Under the provision of pharmacy act, the PCI of India is required to maintain a Central Register.
- Each state govt. has to supply five copies of register for a state to the central council, after the first day of April every year.
- The register has to be maintained by the Registrar of PCI.
- Has to be revised suitably from time to time.
- Published in the gazette of India.

Entry and removal of names:

Entry:

- All applicants for the registration should be addressed to the Registrar of State Pharmacy Council.
- If the applicant has the requisite qualifications for registration, he shall direct his or her name to be entered in the register.
- Upon entry, a certificate of registration is issued.

Removal:

- Registration by error.
- If he has been convicted of any offence in any professional aspect.
- Surrender of certificate of registration and publication in the official gazette.

Printing of Register:

- It is done on the 1st day of April subsequent to the commencement of the Pharmacy (Amendment) Act, 1959 (24 of 1959).
- Thereafter, each year after the first of April, register will arrange for reprinting showing supplements to the registers.

- These supplements and registers are deemed to be proof that the persons, whose names are contained therein, are registered pharmacists.

Offences and Penalties

- Falsely claims to be a registered pharmacist- First Conviction: Fine up to Rs.500. Subsequent Conviction: Fine up to Rs.1000 and/or 6 months imprisonment.
- Dispensing by an unregistered person: 6 months of imprisonment or a fine of up to Rs1000 or both.
- Failure to surrender the Certificate of registration: Fine of Rs.50
- Obstruction of state pharmacy council inspectors: Imprisonment of up to 6 months or a fine up to Rs 1000 or both.

REFERENCES:

Jain N. K. A Text Book of Forensic Pharmacy. Vallabh prakashan, pg no. 20-35.