

Pharmacy act 1948

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- Constitution of Joint State Pharmacy Council
- Functions of Joint State Pharmacy Council
- Registration of Pharmacists
- Preparation of First and subsequent register
- Deletion of names from register
- Offences and penalties

Intended Learning Outcomes

- At the end of this lecture, student will be able to
 - Explain the constitution and functions of Joint State Pharmacy Council
 - Describe the procedure for registration of Pharmacists
 - Explain the Preparation and maintenance of first register
 - Explain the Preparation and maintenance of subsequent register
 - Discuss the offences and penalties pertaining to the act

Joint State Pharmacy Council

- Two or more State Governments can agree that the State Council of one State is to serve the needs of the participating States

- **Composition of Joint State Councils:**

It consists of three different types of members:

- A. Elected member
- B. Nominated member
- C. Ex-officio member

A . Elected member :

- 1) 3-5 members elected amongst themselves by the Registered Pharmacists of each of the participating States
- 2) One member elected from amongst themselves by the members of each Medical Council of each State

B . Nominated member:

2-4 members nominated by each participating state, of whom more than half possess degree or diploma in pharmacy or be Registered Pharmacist

C. Ex-officio member:

- 1) The Chief administrative medical officer of each participating state
- 2) The Government Analyst of each participating state.
- 3) The officer in-charge of drugs control organisation of each participating state

➤ Executive Committee consisting of:

- President
- Vice-president
- The such other number of the member

REGISTRATION OF PHARMACISTS

➤ The Pharmacy Act, 1948, provides for the registration of pharmacists .

➤ There are two types of register,

1) First register

2) Subsequent register

➤ **The Preparation and maintenance of Register:**

The Register shall include the following particulars:

a) The full name and residential address of the registered person;

b) The date of his first admission to the register;

c) His qualifications for registration;

d) His professional address, and if he is employed by any person, the name of such person;

e) Such further particulars as may be prescribed.

PREPARATION OF FIRST REGISTER

- For the preparation of the first register, the State Government has to constitute a Registration Tribunal .
- The Tribunal consisting of :
 - Three persons,
 - A Registrar ,act as Secretary.
- Tribunal fixes the date on or before which all applications for registration with prescribed fees are accepted.
- All applications are examined.
- If tribunal is satisfied, it directs the entry of the name of the applicant on the register.

Qualifications for entry on first register

- Applicant should be at least 18 years old.
- Applicant should reside or carries on the business or profession of pharmacy in the concerned State.
- Applicant should hold,
 - a) A degree or diploma in pharmacy OR pharmaceutical chemistry OR
 - b) Chemist and Druggist diploma OR
 - c) Qualification granted by authority outside India which is adequate for registration. OR
 - d) Degree of an Indian universities with not less than 3 years experience in dispensing in hospital. OR
 - e) Passed an examination for dispensers recognized by state government . OR
 - f) Not less than 5 years experience of compounding prior to the date notified by Tribunal.

SUBSEQUENT REGISTERS

➤ Procedure for subsequent registration:

From the registered pharmacists of the first register constitution of State council take place



Application are invited within fix date , addressed to the registrar



If registrar found that applicant has requisite qualification, he may direct his/her name to be entered in register.



If application has been rejected by registrar , he/she may appeal to state council within 3 months of the rejection.



The decision of the state council shall be final.

REQUIREMENTS FOR SUBSEQUENT REGISTRATION

- Applicants should be at least 18 years of the age.
- Applicants should carry on the profession of the pharmacy in the concerned state.

QUALIFICATIONS FOR SUBSEQUENT REGISTRATION

- There are 3 different types of qualifications prescribed:
 - 1) After the preparation of first register and before E.R. take effect.
 - 2) After E.R. take effect.
 - 3) Special provisions.

1) After the preparation of First register and before E.R. take effect

- a) Satisfies the conditions prescribed by the Central Council OR
- b) A registered pharmacist in another State OR
- c) Possesses a qualification for registration granted outside the states and are atleast matriculates.

2) After the Education regulations take effect:

- Those who have passed an approved examination OR
- Those who possesses a qualification granted by authority outside India and recognize by the P.C.I OR
- Those who are Registered Pharmacist in another State

3) Special provisions:

- Provision made under The Pharmacy Act 1959, apply to persons;
 - Affected by the partition in 1947
 - Due to reorganization of the state in 1956
 - Migrated to India
- Provision made under The Pharmacy Act 1976;
 - Those who possess degree or diploma in Pharmacy or Pharmaceutical chemistry. OR
 - Chemist & druggist diploma of Indian University OR
- Passed an examination recognized for dispenser by State government . OR
- Person approved as “Qualified persons” before 31st December 1969 under D & C Act.
- Any displaced persons from Bangladesh , Burma ,Uganda , Sri Lanka, were carrying profession of pharmacy for period of 5 years prior to date of application.

RENEWAL FEES

- Retention of a name on the register , subject to the payment of prescribed fee annually before the 1st day of April.
- If a renewal fee is not paid by 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 on such conditions as may be prescribed.
- On payment of the renewal fee, the Registrar shall issue a receipt therefore and such receipt shall be proof of renewal of registration.
- Entry of additional qualifications obtained by registered pharmacist shall be entered in the register on payment of prescribed fees.

REMOVAL OF NAME FROM REGISTER

- The name of Pharmacist may be removed from register,
 - i) If his name has been entered into the register by error OR
 - ii) If he has been convicted of any offence in any professional respect which renders him unfit to be kept in the register OR
 - iii) If the employed person is registered pharmacist , his name may be removed from register If,
 - Convicted of offence or held guilty of infamous conduct
 - Offence was investigated by registered pharmacist himself
 - If the repetition of similar offence or conduct during the period of 12 month

- Pharmacist may go to the appeal to the State Government within 30 days.
- A person whose name has been removed from the register is required to surrender his certificate or registration to the Registrar.

➤ **Issue of duplicate certificates of registration:**

Where it is shown to the satisfaction of the Registrar that a certificate of registration has been lost or destroyed, the Registrar may, on payment of the prescribed fee , issue a duplicate certificate in the prescribed form.

OFFENCES	PENALTIES
1. Falsely claiming to be a registered pharmacist.	1.(a) Fine up to Rs. 500.00 on first conviction. (b) Fine up to Rs. 1000.00 and/or 6 months imprisonment of any subsequent conviction.
2. Dispensed by unregistered persons. Exception: Medical practitioners.	2. 6 months imprisonment OR Fine up to Rs. 1000.00 OR Both.
3.Failure to surrender certificate of registration.	3. Fine up to Rs. 50.00
4.Obstructing State pharmacy council Inspectors.	4. 6 months imprisonment OR Fine up to Rs. 1000.00 OR Both.

Summary

Joint State Pharmacy Council has a constitution of Elected members, Nominated members and Ex-officio members

The Register shall include the following particulars: full name and residential address of the registered person; date of his first admission to the register; qualifications for registration; professional address

Retention of a name on the register, subject to the payment of prescribed fee annually before the 1st day of April.

Thank You

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