

Pharmacy Act, 1948

AN ACT TO REGULATE THE PHARMACY PROFESSION

DEFINITIONS UNDER THE ACT

Pharmacy Act—An Act to Regulate the Profession of Pharmacy

Registered Pharmacist

A person whose name is for the time being entered in the register of the state in which he or she is for the time being residing or carrying on his profession or business of pharmacy.

OBJECTIVES

- To regulate the pharmacy education in the country for the purpose of **registration** as a pharmacist under the Pharmacy Act.
- They also regulate the **profession and practice** of pharmacy.
- Maintaining control over the persons entering the pharmacy profession.

THE PHARMACY COUNCIL OF INDIA

- The first Pharmacy Council of India (**PCI**) constituted by central government in 1949.
- It is reconstituted every 5 years.

Constitution

It consists of three different types of members:

1. Elected member
2. Nominated member
3. Ex-officio member

Elected Members

- 6 members elected by **University Grant Commission (UGC)**. There is at least one teacher of each of the pharmacy, **pharmaceutical chemistry**, **pharmacognosy** and **pharmacology**.
- One member, elected by **Medical Council of India**.
- One member, elected by State Council, who shall be a **registered pharmacist**.

Nominated Members

- 6 members, nominated by the **central government**. Of whom at least 4 shall be persons possessing a degree or diploma in, and practicing pharmacy, or pharmaceutical chemistry.
- A representative of the UGC and a representative of the All India Council for Technical Education (AICTE).
- One member nominated by each state government, who shall be a **registered pharmacist**.

Ex-officio Member

- The Director General of Health Services.
- The Director of Central Drug Laboratory.
- The Drug Controller of India.

Executive Committee Consisting of

- President
- Vice-President
- One members elected by Central Council.

The Council Shall Appoint

- A Registrar who may act as a Secretary.
- Other officer and servants.

Functions

Design of the Educational Pattern

To frame an **educational structure** for the would be pharmacist and to keep it tuned to the changing needs with passage of time.

The standards of education for pharmacist framed by the council are known as the **Education Regulations** and amongst other things prescribe.

As

- Minimum qualification for admission to the course
- Duration of the training and the course of study to be covered.
- Equipment and facilities to be provided by the institutions.
- Giving practical training.
- Holding approved examinations.

Approval of Institutions/Withdrawal of Approvals

- An institution or authority which conducts a course of study or holds an examination for the pharmacists has to apply to the Pharmacy Council of India for approval of the course or the examination.
- The council may depute its inspectors to visit the institution to check whether the prescribed facilities for imparting training or holding examinations are in accordance with the Education Regulations or not.
- It may also require inspectors to attend any examination, to judge its standard without interfering with its conduct.
- If on the report of the inspector, the council is satisfied then it gives approval to it and then the said course or examination shall be deemed to be approved for qualifying for registration as pharmacist under the Act.
- If any approved course of study or examination does not continue to be in conformity with the Education Regulations, then the council withdraws the approval.

EDUCATION REGULATION

Subject to the provision of Section 10 of the Pharmacy Act, 1948.

- Minimum qualification for admission to the course.
- Nature and period of course of study.

- The subject of examination and the standard attained therein.
- The equipment and facilities to be provided by the institution for the student undergoing approved course of study.
- Condition to be fulfilled by institution giving practical training also by authorities holding approved examinations.

Duration of the Course

Pharm D: The duration of course is 6 academics years

Phase I: First, second, third, fourth and fifth years.

Phase II: Internship or residency training during sixth year in specialty units. The students are exposed to pharmacy practice or clinical pharmacy service.

Qualification for Admission***Pharm D: Phase I***

- 10 + 2 examination with physics and chemistry are compulsory subject along with mathematics or biology.
- DPharm. Pass from an institution approved by PCI.
- Seats are reserved for the student belonging to SC, ST and OBC as per norms of government.

Syllabus

The syllabus for each subject of the above course is given in Appendix A to these regulations.

Examination

Examination (theory, practical including oral) will be held twice a year. The first shall be annual and the second shall be supplementary examination.

STATE AND JOINT PHARMACY COUNCILS

- State Pharmacy Council and Joint State Pharmacy Council are also constituted by the state government.
- Two or more states may also enter into an agreement (inter-state agreement) for definite, specified periods to form joint state councils.
- Each state council shall have a President and Vice-President elected by the members from amongst themselves.

- The State Council is also required to constitute an executive committee similar to that of the central council. It should also submit the necessary information and annual report to the state government.

Table 2.1: Constitution of State Pharmacy Council and Joint State Pharmacy Council

<i>State Pharmacy Council</i>	<i>Joint State Pharmacy Council</i>
<p>Elected members</p> <ul style="list-style-type: none"> • Six members—by registered pharmacist of the state • One member elected by MCI <p>Nominated members</p> <ul style="list-style-type: none"> • Five members nominated by the state government <p>Ex-officio members</p> <ul style="list-style-type: none"> • Chief Administrative Medical Officer • Officer in-charge of drugs Control Administration of the state • Government analyst 	<p>Elected members</p> <ul style="list-style-type: none"> • Registered Pharmacist—3 to 5 from each state • Medical council—1 from each state. <p>Nominated members</p> <ul style="list-style-type: none"> • Govt. nominees—2 to 4 from each state <p>Ex-officio members</p> <ul style="list-style-type: none"> • Chief Administrative Medical Officer • Officer in-charge of Drugs Control Administration • Government analyst from each state

REGISTRATION OF PHARMACIST

Names of the registered pharmacist are entered in the registers maintained by the State Council and the Central Council.

Maintenance of Registers

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

Entry and Removal of Names

- After an appointed date, all applications for registration should be addressed to the registrar of the State Pharmacy Council.

- The applicant has the requisite qualifications for registration, he may direct his or her name to be entered in the register.
- Person whose names have been removed from the registers of other state shall not be entitled to registration.
- On payment of the fees, the registrar is required to issue a receipt there of and such receipts are deemed to be proofs of renewal of registration.

Removal of Names from the Register

A person, whose name has been removed from the register, is required to surrender his certificate of registration to the registrar of the Pharmacy Council concerned.

Printing of Register

- It is done on the 1st day of April subsequent to the commencement of the Pharmacy (Amendment) Act, 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.

Table 2.2: Offences and penalties		
<i>Sr. no</i>	<i>Offences</i>	<i>Penalties</i>
1.	Falsely claiming to be a registered pharmacist	Fine up to ₹ 500.00 on first conviction Fine up to ₹ 1000.00 and/or 6 months imprisonment of any subsequent conviction
2.	Dispensed by unregistered person exception—medical practitioner	6 months imprisonment or fine up to range ₹ 1000.00 or both
3.	Failure to surrender certificate of registration	Fine up to ₹ 50.00
4.	Obstructing State Pharmacy Council inspector	6 months imprisonment or fine to ₹ 1000 or both

SELF-ASSESSMENT EXERCISE**MCQs**

- 1. The PCI was constituted in:**
 - a. 1948
 - b. 1989
 - c. 1947
 - d. 1950
- 2. The Pharmacy Council reconstituted every ____.**
 - a. 10 years
 - b. 15 years
 - c. 5 years
 - d. 20 years
- 3. "Registered pharmacist" is the person who should be:**
 - a. Qualified in pharmacy courses
 - b. Knowledge of compounding and dispensing of drug
 - c. Trained in any government registered medical dispensing, etc.
 - d. All of the above
- 4. In nominated member of Central Council six members nominated by**
 - a. State government
 - b. MCI
 - c. Central government
 - d. AICTE
- 5. The inspector report to the ____ after inspection.**
 - a. Central Council
 - b. State Council
 - c. Central government
 - d. Joint State Council
- 6. In elected members of State Pharmacy Council member elected from amongst themselves by registered pharmacist:**
 - a. 5 members
 - b. 4 members
 - c. 6 members
 - d. 2 members
- 7. Minimum training required to be a pharmacist:**
 - a. 100 hours
 - b. 500 hours
 - c. 300 hours
 - d. 800 hours
- 8. Executive Committee consisting of:**
 - a. The Director General of Health Services
 - b. The Director of Central Drug Laboratory

- c. The Drug Controller of India
 - d. President
- 9. Penalties for making false claims to be a registered pharmacist should include:**
- a. Fine up to ₹ 500.00 on first conviction
 - b. 6 months imprisonment or fine to ₹ 1000 or both
 - c. Fine up to ₹ 50.00
 - d. 6 months imprisonment or fine up to range ₹ 1000.00 or both
- 10. Approval to new pharmacy institute given by:**
- a. DCI
 - b. MCI
 - c. PCI
 - d. AICTE
- 11. Which of the following Act regulates the profession of pharmacy?**
- a. Pharmacy Act
 - b. Poison Act
 - c. Patent Act
 - d. D and C Act
- 12. Which of the following is objective of Pharmacy Act?**
- a. To provide uniform education and training to those persons willing to enter the pharmacy profession.
 - b. To maintain control over the persons of the pharmacy profession by registering them as registered pharmacists in every State and Union Territories.
 - c. Both a and b
 - d. None of these
- 13. Pharmacy Act extends to the whole of India except the state:**
- a. Rajasthan
 - b. Assam
 - c. Jammu & Kashmir
 - d. Himachal Pradesh
- 14. Who was the first chemist in India?**
- a. Bathgate
 - b. Aristotle
 - c. Galen
 - d. Ramanujan
- 15. Central register maintained by:**
- a. Central Council
 - b. MCI
 - c. AICTE
 - d. State Council

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- 16. "Registered pharmacist" is the person who should be:**
- Qualified in pharmacy courses
 - Knowledge of compounding and dispensing of drug
 - Trained in any government registered medical dispensing, etc.
 - All of the above
- 17. Ex-officio member of Central Council is:**
- Officer in-charge of Drug Control Administrative
 - Government analyst of each state
 - Chief medical officer
 - The Drug Controller of India
- 18. Function of Central Council is:**
- Design of the educational pattern
 - Education Regulations
 - Giving practical training
 - All of the above
- 19. The inspectors report to the _____ after inspection.**
- Central Council
 - State Council
 - Central government
 - Joint State Council
- 20. The Pharmacy Council of India is required to maintain a register containing name of:**
- All registered pharmacist
 - Elected member of state
 - Nominated member of Central Council
 - Offences of pharmacy
- 21. A person whose name has been removed from the registers of other state shall:**
- Again register in other state
 - On specific penalty they can registered
 - Not entitled to registration
 - None of these

- 22. Upon entry of the name of person in the register, the “Registrar” is required to issue to him a:**
- Prize
 - Application form
 - Receipt
 - Certificate
- 23. Removal of name from the register in condition:**
- If his name has been entered in register by error
 - If he has been convicted of an offence in any professional
 - If he does not get renewal of his registration
 - None of these
- 24. Joint State Pharmacy Council is:**
- Many states council decide to make an individual council
 - Two or more state governments can agree that the State Council of one state is to serve
 - The PCI elected this council
 - None of these
- 25. Offences of Pharmacy Act are:**
- Falsely claiming to be a registered pharmacist
 - Failure to surrender certificate of registration
 - Dispensed by unregistered person
 - All of the above

ANSWERS

- | | | |
|-------|-------|-------|
| 1. a | 2. c | 3. d |
| 4. c | 5. a | 6. c |
| 7. b | 8. d | 9. a |
| 10. c | 11. a | 12. c |
| 13. c | 14. a | 15. a |
| 16. d | 17. d | 18. d |
| 19. a | 20. a | 21. c |
| 22. d | 23. c | 24. a |
| 25. d | | |

SHORT QUESTIONS

1. Write a note on Pharmacy Act in their function and constitution of PCI.
2. Discuss in short registration of pharmacist.
3. Give the objective of Pharmacy Act.
4. Write down registration of pharmacist.
5. Write the constitution of Pharmacy Council of India.
6. Explain the functions of State and Joint State Pharmacy Council of India.
7. Write a short note on Education Regulations by PCI.

LONG QUESTIONS

1. Write definition, objective of Pharmacy Act and function, constitution of Pharmacy Council of India.
2. Write constitution and function of Pharmacy Act and State Pharmacy Council as well as Joint State Pharmacy Council.