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भारत सरकार/ GOVT. OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
(एएचएस अनुभाग)/(AHS SECTION)

Kartavya Bhawan-1, 1st Floor, A-wing
New Delhi, Dated: 01-07-2026

PUBLIC NOTICE

General Public is hereby informed that the Ministry of Health and Family Welfare proposes to finalize the National Pharmacy Commission Bill, 2026 for setting up the National Pharmacy Commission (NPC) and repealing the Pharmacy Act, 1948.

Accordingly, a second version of the draft National Pharmacy Commission Bill has been prepared and is attached for comments of the General Public/Stakeholders. Comments may be furnished within one month from the date of publication of this notice by e-mail at so.ahssecn-mohfw@gov.in or by post to Shri Santosh Kumar, Under Secretary (AHS), Kartavya Bhawan-1, 1st Floor, A-Wing, with the subject "*Comments/suggestions on NPC Bill, 2026.*"

Encl. As above

Digitally signed by
Santosh Kumar
Date: 01-07-2026
11:47:30

(Santosh Kumar)
Under Secretary to the Govt. of India
Tel. No. 011-24013263

	THE NATIONAL PHARMACY COMMISSION BILL, 2026	
	A Bill	
	to promote and regulate pharmacy education system that improves access to quality and affordable pharmacy or pharmaceutical education, ensures availability of adequate and high quality pharmacy professionals across the country; that encourages pharmacy professionals of modern system of medicine, Indian system of medicine and Homoeopathy to adopt latest contemporary pharmaceutical and life sciences research in their work and to contribute to research and technology; and for matters connected therewith or incidental thereto.	
	BE it enacted by Parliament in the Seventy-seven Year of the Republic of India as follows: —	
	CHAPTER I PRELIMINARY	
	1. (1) This Act may be called the National Pharmacy Commission Act, 2026. (2) It extends to the whole of India (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act and any reference in any provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.	Short title and commencement.
	2. In this Act, unless the context otherwise requires,—	Definitions.
	(a) “Accreditation Committee” means the Committee constituted under sub-section (1) of section 22.	
	(b) “ Board” means any of the Boards constituted under section 12;	
	(c) “Chairperson ” means the Chairperson of the National Pharmacy Commission appointed under section 4;	
	(d) “Commission” means the National Pharmacy Commission constituted under section 3;	

	(e) "Council" means the Pharmacy Advisory Council constituted under section 35;	
	(f) "Fund" means the National Pharmacy Commission Fund referred to in section 39;	
	(g) "Homoeopathy" means the Homoeopathic System of Medicine and includes the use of biochemic remedies supplemented by such modern advances, scientific and technological development as the Commission may, in consultation with the Central Government, declare by notification from time to time;	
	(h) "Indian System of Medicine" means the Ashtang Ayurveda, Unani, Siddha and Sowa-Rigpa Systems of Medicine supplemented by such modern advances, scientific and technological development as the Commission may, in consultation with the Central Government, declare by notification from time to time;	
	(i) "leader" means the Head of a Department or the Head of an Institute or organisation/pharma industry;	
	(j) "licence" means a licence to practice pharmacy granted under sub-section (1) of section 27;	
	(k) "Member" means a Member of the Commission appointed under section 5 and includes the Chairperson thereof ;	
	(l) "Modern system of medicine" means modern scientific medicine in all its branches and includes surgery and obstetrics, but does not include veterinary medicine and surgery;	
	(m) "National Register" means a National Register of Pharmacy Professionals maintained by the Pharmacy Ethics and Registration Board under section 26;	
	(n) "notification" means a notification published in the Gazette of India or the official Gazette of a State, as the case may be, and the expression "notify" with its grammatical variation and cognate expressions shall be construed accordingly;	
	(o) "pharmacy" means activities related to practice of pharmacy, pharmacy education, industrial pharmacy, regulatory pharmacy, and any other allied activities related to Modern system of medicine and Indian System of Medicine and Homoeopathy;	

	(p) “pharmacy institution” means a recognized institution which runs diploma, degree, and post graduate pharmacy education courses relating to ‘Modern system of medicine’ and ‘Indian System of Medicine and Homoeopathy’.	
	(q) “Pharmacy Assessment and Rating Board” means the Board constituted under clause (c) of sub-section (1) of section 12;	
	(r) “Pharmacy Ethics and Registration Board ” means the Board constituted under clause (d) of sub-section (1) of section 12;	
	(s) “ Pharmacy education Board for Modern system of medicine ” means the Board constituted under clause (a) of sub-section (1) of section 12;	
	(t) “Pharmacy education Board for Indian System of Medicine and Homoeopathy” means the Pharmacy Education Board constituted under clause (b) of sub-section (1) of section 12;	
	(u) “pharmacy professional” means any professional dealing with the ‘Modern system of medicine’ and ‘Indian System of Medicine and Homoeopathy’, and whose name figures in the National Register of pharmacy professionals;	
	(v) “prescribed” means prescribed by rules made under this Act;	
	(w) “President” means the President of Board appointed under section 5;	
	(x) “professional or ethical misconduct” includes any act of commission or omission as may be specified by regulations;	
	(y) “recognised pharmacy qualification” means a pharmacy qualification recognised under section 29 or section 30 or section 31 or section 33, as the case may be;	
	(z) “regulations” means the regulations made by the Commission under section 48;	
	(za) “State Pharmacy Council” means State Pharmacy Council or Joint Pharmacy Council constituted under section 24;	

	(zb) "State" includes Union territory and the expressions "State Government" and "State Pharmacy Council", in relation to a Union territory, shall respectively mean the "Central Government" and "Union Territory Pharmacy Council".	
	(zc) "State Register" means the State Register for Pharmacy Professionals maintained by State Pharmacy Council under section 26;	
3 of 1956.	(zd) "University" shall have the same meaning as assigned to it in clause (f) of section 2 of the University Grants Commission Act, 1956 and includes a health University;	
	CHAPTER II NATIONAL PHARMACY COMMISSION	
	3. (1) The Central Government shall constitute the Commission, to be known as the National Pharmacy Commission, with effect from such date as it may, by notification, appoint, for exercising such powers and discharging such duties as are laid down under this Act.	National Pharmacy Commission.
	(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.	
	(3) The head office of the National Pharmacy Commission shall be at New Delhi.	
	4. The National Pharmacy Commission shall consist of a Chairperson, Fifteen <i>ex-officio</i> Members and Thirteen part-time Members as follows, namely: — (a) The Chairperson shall be a registered pharmacist of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in any discipline of pharmaceutical sciences from any recognized University/institute, with experience of not less than twenty years in the field of pharmacy for modern system of medicine, and out of which at least ten years shall be as a leader in pharmacy field to be appointed by the Central Government.	Composition of National Pharmacy Commission.

	<p>(b) The following persons shall be the ex-officio members, namely: -</p> <ol style="list-style-type: none"> i. one representative of the Department of Health and Family Welfare, Ministry of Health and Family Welfare, not below the rank of Joint Secretary to the Government of India who is in charge of pharmacy education ii. one representative of the Ministry of Ayush, not below the rank of Joint Secretary to the Government of India who is in charge of 'Indian System of Medicine and Homoeopathy' pharmacy education iii. Drug Controller General of India iv. one person representing the National Medical Commission not below the rank of Joint Secretary to the Government of India v. one person representing the National Commission for Indian System of Medicine/National Commission for Homoeopathy not below the rank of Joint Secretary to the Government of India on rotation basis vi. one representative of Department of Pharmaceuticals (not below the rank of JS) vii. one Professor from pharmacy background nominated by UGC/Viksit Bharat Shiksha Adhishthan viii. President of each of the Boards constituted under section 12 ix. Four persons nominated by the Central Government as below: - <ol style="list-style-type: none"> (i) Director of one of the National Institute of Pharmaceutical Education and Research (NIPER) (ii) Director, Pharmacy education, Institute of Teaching and Research in Ayurveda (ITRA), Jamnagar; (iii) One pharmacy professional from pharmaceutical industry having at least twenty-years of experience in the field out of which seven years as CEO/MD/Head of the 	
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	<p>company/organization/pharma industry;</p> <p>(iv) One pharmacy professional from Indian System of Medicine/ Homoeopathy pharmaceutical industry having at least twenty-years of experience in the field out of which seven years as CEO/MD/Head of the company/organization/pharma industry on rotation basis;</p> <p>(c) The following persons shall be the part-time members of the Commission, namely: -</p> <p>i. One person from each of the six zones, who shall be the Chairperson of the State Pharmacy Council will be appointed on biennial rotation in such manner as may be prescribed by the Central Government.</p> <p>ii. six pharmacy members of eminence, one from each of the six zones, on biennial rotation basis, as may be prescribed, from pharmacy profession of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any discipline of pharmacy from any pharmacy institution and having experience of not less than fifteen years in the field of pharmacy, out of which at least seven years as pharmacy leader in the area of pharmacy education- to be nominated by the State Governments on rotation in such manner as may be prescribed</p> <p>Provided that the States and Union territories represented under clauses c (i) & (ii) above shall be distinct such that no State/ UT shall have more than one part-time member represented on the Commission at one time;</p> <p>(iii) a person of eminence to be appointed by the Central Government, in such manner as may be prescribed, from amongst persons of ability, integrity and standing, who have special knowledge and professional experience in such areas including management, law, medical ethics, health research, consumer or patient rights advocacy, science and technology and economics.</p>	
	<p>5. (1) The Central Government shall appoint—</p> <p>(i) the Chairperson and Members referred to in sub-section (a), and clause (iii) of sub-section (c) of section 4;</p> <p>(ii) the Secretary referred in sub-section (2) of section 8; and</p>	<p>Search-cum-Selection Committee for appointment of Chairperson</p>

	<p>(iii) the President of all boards except Pharmacy Education Board for Indian System of medicine and Homeopathy and Members of Boards related to Modern system of Medicine referred in sub-sections (1), (3) and (4) of section 13,</p> <p>on the recommendations of a Search-cum-Selection Committee consisting of —</p> <p>(a) the Secretary, Ministry of Health and Family Welfare – Chairperson;</p> <p>(b) two experts from pharmaceutical sciences working in Central/State Government institutions possessing outstanding qualifications and experience of not less than twenty years in the field of pharmacy education, public health pharmacy education, pharmacy health research or related equivalent fields, to be nominated by the Central Government in such manner as may be prescribed – Members;</p> <p>(c) one person, possessing outstanding qualifications and experience of not less than twenty years in the field of management or law or economics or science and technology, to be nominated by the Central Government in such manner as may be prescribed – Member; and</p> <p>(d) a Joint Secretary to the Government of India in-charge of pharmacy education in the Ministry of Health and Family Welfare, to be the Member Secretary</p> <p>(e) One Representative not below the rank of Joint Secretary to the Government of India from Department of Pharmaceuticals</p> <p>(2) For selection of the President and Members of Board related to Indian system of Medicine referred in sub-section (2), (3) and (4) of section 13, the Search-cum-selection Committee shall consist of following members:</p> <p>(a) The Secretary, Ministry of Ayush-Chairperson;</p> <p>(b) three pharmacy experts from Ayurveda, Siddha, Sowa-rigpa, Unani and Homoeopathy pharmacy on rotational basis, working in Central/State Government institutions possessing outstanding qualifications and experience of not less than twenty years in the field of pharmacy education, public health pharmacy education, pharmacy health research or related equivalent fields, to be nominated by the Central Government in such manner as may be prescribed- Members;</p> <p>(c) One person, possessing outstanding qualifications and experience of not less than twenty years in the field of management or law or economics or</p>	<p>and Members of Commission.</p>
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	<p>science and technology to be nominated by the Central Government in such manner as may be prescribed – Member;</p> <p>(d) Joint Secretary from Ministry of Ayush to be the Member Secretary.</p> <p>The tenure of the expert members as stated in (b)&(c) of 5(1), (2) shall be maximum period of three years and they will not be reappointed.</p>	
	(2) The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson or Secretary or a Member, or within three months before the end of tenure of the Chairperson or Secretary or Member, make a reference to the Search-cum-Selection Committee for filling up of the vacancy.	
	(3) The Search-cum-Selection Committee shall recommend a panel of at least three names for each vacancy.	
	(4) The Search-cum-Selection Committee shall, before recommending any person for appointment of the Chairperson or Secretary or Member, satisfy itself that such person does not have any financial or other interest (including any other conflict of interest) which is likely to affect prejudicially his/ her functions as such Chairperson or Secretary or Member.	
	(5) No appointment of the Chairperson or Secretary or Member of the Commission or, as the case may be, the President or Member of the Boards, shall be invalid merely by reason of any vacancy or absence of a Member in the Search-cum-Selection Committee.	
	(6) Subject to the provisions of sub-sections (2) to (5), the Search-cum-Selection Committee may decide the Standard Operating Procedures for its processes.	
	6. (1) The Chairperson and Members of the Commission referred to in sub-sections (a), (b) & (c)(iii) of section 4, shall not be eligible for any extension of term beyond four years or for reappointment and such person shall cease to hold office after attaining the age of seventy years.	Term of office and conditions of service of Chairperson and Members of Commission.
	(2) The term of office of an <i>ex officio</i> Member shall continue as long as such Member holds the office by virtue of which he/she is a Member	

	<p>(3) Where a Member appointed to the Commission under sub-section (a), serial number (viii) and (ix) of sub-section (b) and serial number (iii) of sub-section (c) of Section 4, is absent from three consecutive ordinary meetings of the Commission and the cause of such absence is not attributable to any valid reason in the opinion of the Commission, such Member shall be deemed to have vacated the seat.</p>	
	<p>(4) The Chairperson of the Commission and the Members of the Commission referred to in Section 4 shall receive such salaries or travelling and other allowances as may be prescribed.</p>	
	<p>(5) Notwithstanding anything contained in sub-section (1), the Chairperson or a Member of the Commission referred to in sub-section (a) and serial number (viii) and (ix) of sub-section (b) of section 4, may –</p> <p style="padding-left: 40px;">(a) relinquish his/ her office by giving in writing to the Central Government a notice of not less than three months; or</p> <p style="padding-left: 40px;">(b) be removed from his/ her office in accordance with the provisions of section 7:</p> <p style="padding-left: 40px;">Provided that, if the Central Government so decides, such person may be relieved from duties earlier than three months or be allowed to continue beyond three months (but in any case, not beyond six months) until a successor is appointed.</p>	
	<p>(6) The Chairperson and every Member of the Commission shall make declaration of his/ her assets and liabilities at the time of entering upon his/ her office and thereafter annually till the time of demitting office, and also declare his/ her professional and commercial engagement or involvement in such form and manner as may be prescribed, and the said declaration shall be submitted to the Central Government.</p>	
	<p>(7) The Chairperson of the Commission referred to in sub-section (a) of section 4, ceasing to hold office as such, shall not accept, for a period of two years from the date of demitting such office, any employment, in any capacity including as a consultant or an expert, in any private/government pharmacy institution, whose matter has been dealt with by such Chairperson or Member, either directly or indirectly:</p>	

	<p>7. (1) The Central Government may, by order, remove from office, the Chairperson or any other Member of the Commission, who—</p> <ul style="list-style-type: none"> (a) has been adjudged an insolvent; or (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or (c) has become physically or mentally incapable of acting as a Member; or (d) is of unsound mind and stands so declared by a competent court; or (e) has acquired such financial or other interest as is likely to affect prejudicially his/ her functions as a Member; or (f) has so misused his/ her position as to render his/ her continuance in office prejudicial to the public interest. 	Removal of Chairperson or Member of Commission.
	(2) No Member shall be removed under clauses (e) and (f) of sub-section (1) unless he has been given a reasonable opportunity of being heard.	
	8. (1) There shall be a secretariat for the Commission to be headed by a Secretary, to be appointed by the Central Government.	Secretary and other employees of Commission.
	(2) The Secretary of the Commission shall be a person of outstanding ability, proven administrative capacity and integrity, possessing such qualifications and experience, as may be prescribed.	
	(3) The Secretary shall hold the office for a term of four years and shall not be eligible for any extension or reappointment.	
	(4) The Secretary shall also be the Member Secretary of each of the Boards constituted under section 12.	
	(5) The Secretary shall discharge such functions of the Commission and that of each of the Boards constituted under section 12, as may be specified by regulations.	
	(6) The Commission may, for the optimum discharge of its functions under this Act, appoint such officers, and other employees of the Commission other than the Secretary, as it considers necessary, against the posts created by	

	the Central Government as recommended by the Commission.	
	(7) The salaries and allowances payable to and other terms and conditions of service of the Secretary, officers and other employees of the Commission shall be such, as may be prescribed.	
	(8) The Commission may engage, in accordance with the procedure, such number of experts, consultants and professionals of integrity and outstanding ability, as may be specified by regulations, who have special knowledge of, and experience in such fields, including pharmacy education, public health pharmacy, management, health economics, quality assurance, patient advocacy, pharmacy research, science and technology, administration, finance, information technology, statistics, pharmacy informatics, accounts and law etc. , as it deems necessary, to assist the Commission in the discharge of its functions under this Act.	
	(9) The Commission may also invite, in accordance with the procedure, such number of experts and domain specialists from foreign countries/Bi-lateral or Multilateral Forums to the meetings of the Commission, as may be specified by regulations, who have special knowledge of pharmacy curriculum, practical training and pattern of examination including licentiate examination of the relevant foreign country, as it deems necessary, to facilitate global mobility and employability of registered professional.	
	9. (1) The Commission shall meet at least once in every quarter at such time and place as may be decided by the Chairperson.	Meetings of Commission, administration, etc.
	(2) The Chairperson shall preside over the meeting of the Commission and if, for any reason, the Chairperson is unable to attend such meeting, any other Member being the President of a Board, as may be nominated by the Chairperson, shall preside over that meeting.	
	(3) Unless the procedure to be followed at the meetings of the Commission is otherwise provided by regulations, one-half of the total number of Members of the Commission including the Chairperson, present in the meeting, shall constitute the quorum at the meeting of the Commission and all the acts of the Commission shall be decided by a majority of the Members present and voting in the event of equality of votes, the Chairperson, or in his/	

	her absence, the President of the Board nominated under sub-section (2), shall have the casting vote.	
	(4) The general superintendence, direction and control of the administration of the Commission shall vest in the Secretary under the overall guidance and control of the Chairperson.	
	(5) No act done by the Commission shall be questioned solely on the ground of the existence of a vacancy in, or a defect in the constitution of, the Commission.	
	10. (1) The Commission shall take all such steps as it may think fit for ensuring coordinated and integrated development of pharmacy education and maintenance of the standards of delivery of services, with periodic revisions, as may be specified by regulations.	Powers and functions of Commission.
	(2) The Commission shall ensure coordination among the Boards and oversee their activities in such manner as may be prescribed by the Central Government.	
	<p>(3) The Commission may make regulations for the purposes of performing the following functions, namely: –</p> <ul style="list-style-type: none"> (a) to frame policies and regulate standards for the governance of pharmacy education and training; (b) to regulate pharmacy institutions, research, and professionals; (c) to provide basic standards of education, physical and instructional facilities, assessment, examination, training, research, continuing professional education and maximum tuition fee payable in respect of various categories; (d) to provide standards for pharmacy faculty and clinical facility in teaching institutions; (e) to provide for a uniform mechanism for admission into the pharmacy institutions at various levels. <p><i>Explanation.</i> — For the purposes of this clause, it is clarified that the authority as may be designated by the Central Government shall make admissions into pharmacy institutions in such uniform manner at all India level, and the authority as may be designated by the State Government shall make admissions in the same manner into pharmacy institutions at State level;</p>	

	<p>(f) to conduct the National Exit Test (Pharmacy) for granting licence to practice pharmacy as pharmacists and for enrolment;</p> <p>(g) to provide for a mechanism, either through final year diploma, undergraduate exam or otherwise, to ensure adequate competence of the pharmacy professionals for enrolment in the National Register or State Register, as the case may be, and for granting licence to practice as a pharmacy professional;</p> <p>(h) to collaborate with industry and other institutions for use of cutting-edge technology and hybrid education to drive innovation and research in the field of pharmacy;</p> <p>(i) to integrate soft skills and elective courses in the curriculum of pharmacy qualifications and to take measures to enhance skills and competency of registered professional for facilitating global mobility;</p> <p>(j) to assess the pharmacy requirements in health care, including human resources for various healthcare settings;</p> <p>(k) to ensure policies and codes to ensure observance of professional ethics in pharmacy profession and to promote ethical conduct during the provision of care by pharmacy professionals;</p> <p>(l) to promote, co-ordinate and frame guidelines and lay down policies for the proper functioning of the Commission, the Boards, the Advisory Council and the State Pharmacy Councils or Joint Pharmacy Councils ;</p> <p>(m) to ensure coordination among the Boards;</p> <p>(n) to take such measures, as may be necessary, to ensure compliance of the guidelines framed and regulations made under this Act by the State Pharmacy Councils for their effective functioning;</p> <p>(o) to exercise appellate jurisdiction with respect to the decisions of Boards; and</p> <p>(p) to perform such other functions as may be prescribed.</p>	
	<p>(3) The Commission may delegate such of its functions, except the power to make regulations, to the Boards as it may deem necessary.</p>	

	(4) The Commission shall hold regular meeting with its national and state counterparts responsible for regulating medical, dental, nursing, allied healthcare and Ayush education, at such time and place as they mutually decide, to enhance the interface between different workforce categories in modern and traditional systems of medicine, develop consensus on issues and promote team based approach to healthcare delivery.	
	(5) Every order and decision of the Commission shall be authenticated by the signature of its Secretary.	
	(6) The Commission may delegate such of its powers of administrative and financial matters, as it deems fit, to its Secretary.	
	(7) The Commission may constitute sub-committees and delegate such of its powers to such sub-committees as may be necessary to enable them to accomplish specific tasks.	
	CHAPTER III NATIONAL EXIT TEST (Pharmacy)	
	11. (1) A common final year diploma/bachelor in pharmacy' examination, to be known as the 'National Exit Test (Pharmacy)' shall be held for granting licence to practice Pharmacy as pharmacists and for enrolment in the State Register or the National Register, as the case may be.	
	(2) The Commission shall conduct the National Exit Test (Pharmacy) through such designated authority and in such manner as may be specified by regulations.	
	(3) The National Exit Test (Pharmacy) shall become operational on such date, within five years from the date of commencement of this Act, as may be appointed by the Central Government, by notification.	
	(4) Any person with a foreign pharmacy qualification shall have to qualify National Exit Test (Pharmacy) for the purpose of obtaining licence to practice Pharmacy as pharmacists and for enrolment in the State Register or the National Register, as the case may be, in such manner as may be specified by regulations.	
	(5) The National Exit Test (Pharmacy), as and when operationalized, shall constitute the basis for admission to postgraduate pharmacy education in pharmacy institutions governed under the provisions of this Act or	

	any other law for the time being in force, and such admissions shall be conducted in such manner as may be prescribed by regulations.	
	(6) The Commission shall specify by regulations the manner of conducting common counselling by the designated authority for admission to the postgraduate seats in the pharmacy institutions referred to in sub-section (5).	
	(7) The designated authority of the Central Government shall conduct the common counselling for All India seats and the designated authority of the State Government shall conduct the common counselling for the seats at the State level.	
	CHAPTER IV BOARDS	
	12. (1) The Central Government shall, by notification, constitute the following Boards, under the overall supervision of the Commission, to perform the functions assigned to such Boards under this Act, namely: – <ul style="list-style-type: none"> (a) the Pharmacy Education Board for Modern system of medicine; (b) the Pharmacy Education Board for Indian System of Medicine and Homoeopathy; (c) the Pharmacy Assessment and Rating Board; and (d) the Pharmacy Ethics and Registration Board. 	Boards.
	(2) Every Board referred to in sub-section (1) shall carry out its functions under this Act in such manner as may be specified by regulations.	
	13. (1)(a) The Pharmacy Education Board for Modern system of medicine, shall have not more than two whole time Members and not more than two part-time Members other than a President. The Secretary of the Commission shall serve as Secretary to all boards to handle all the secretarial matters. (1)(b) The President, two whole-time Members and one part-time Member of Pharmacy Education Board for Modern system of medicine,—shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in any discipline of pharmacy for	Composition of Boards

Modern system of medicine from any recognized University/Institute in India. S/he shall have experience in Pharmacy field of not less than fifteen years, out of which at least seven years shall be as a leader in pharmacy field, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5.

(1)(c) The second part-time Member of Pharmacy Education Board for modern system of Medicine shall be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted from amongst the pharmacy Members representing the State Pharmacy Councils under Section 24(3)(b)(iii) in such manner as may be prescribed. However, no single state will have more than one such second part time member in more than one board at any given point of time.

(2)(a) The Pharmacy Education Board for Indian System of Medicine and Homoeopathy, shall have not more than two whole time Members, out of which one from ISM (Ayurveda, Siddha, Unani, Sowa-Rigpa), and one from Homoeopathy and not more than two part-time Members other than a President.

(2)(b) The President, two whole-time Members and one part-time Member of Pharmacy Education Board for Indian System of Medicine and Homoeopathy, shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in any discipline of pharmacy for Indian System of Medicine and Homoeopathy from any recognized University/Institute in India. S/he shall have experience in Pharmacy field of not less than fifteen years, out of which at least seven years shall be as a leader in respective pharmacy field, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5(2).

(2)(c) The second part-time Member of Pharmacy Education Board for Indian System of Medicine and Homoeopathy shall be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted from amongst the pharmacy Members representing the State Pharmacy Councils under Section 24(3)(b)(iii) in such manner as may be prescribed. However, no single state will have

	<p>more than one such second part time member in more than one board at any given point of time.</p>	
	<p>(3)(a) The Pharmacy Assessment and Rating Board shall have four whole time Members and four part-time Members other than President.</p> <p>(3)(b) The President, four whole-time Members, out of which two from Modern System of Medicine, one from Indian System of Medicine and Homeopathy, and one accreditation expert.</p> <p>(3)(c) The President and three whole-time members of Pharmacy Assessment and Rating Board shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in any discipline of pharmacy from any recognized University/Institute in India. He/she shall have experience in Pharmacy field of not less than fifteen years, out of which at least seven years shall be as a leader in pharmacy field to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5.</p> <p>(3)(d) Fourth whole-time Member of the Pharmacy Assessment and Rating Board, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5, shall be a person of outstanding ability and integrity, possessing a postgraduate degree in any of the disciplines of management, quality assurance, law or science and technology from any University, having experience of not less than fifteen years in such field, out of which at least seven years shall be as the Head of a Department or the Head of an Institute or an organisation.</p> <p>(3)(e) Three part-time Members to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5 as under-</p> <ul style="list-style-type: none"> (i) two from Modern system of medicine (ii) one from Indian System of Medicine and Homeopathy 	

	<p>All the above part-time members should be person of outstanding ability and integrity, having experience of not less than fifteen years in such field, out of which at least seven years shall be as the Head of a Department or the Head of an Institute or an organisation.</p> <p>(3)(f) Fourth part-time Member of Pharmacy Assessment and Rating Board shall be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted from amongst the pharmacy Members representing the State Pharmacy Councils under Section 24(3)(b)(iii) in such manner as may be prescribed. However, no single state will have more than one such second part time member in more than one board at any given point of time.</p>	
	<p>(4)(a) The Pharmacy Ethics and Registration Board shall have four whole time Members and four part-time Members other than President.</p> <p>(4)(b) The President, three whole-time Members, out of which two from Modern System of Medicine, one from Indian System of Medicine and Homeopathy, and one expert from any discipline of quality assurance, public health, law or patient advocacy.</p> <p>(4)(c) The President and three whole-time members of Pharmacy Ethics and Registration Board shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in any discipline of pharmacy from any recognized University/Institute in India. He/she shall have experience in Pharmacy field of not less than fifteen years, out of which at least seven years shall be as a leader in pharmacy field to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5.</p> <p>(4)(d) Fourth whole-time Member of the Pharmacy Ethics and Registration Board, to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5, shall be a person of outstanding ability who has demonstrated public record of work on pharmacy or medical ethics or a person of outstanding ability possessing a postgraduate degree in any of the disciplines of quality assurance, public health, law or patient advocacy from any University and having experience of not less than fifteen years in such field, out of which at least seven years shall be as</p>	

	<p>the Head of a Department or the Head of an Institute or an organisation.</p> <p>(4)(e) Three part-time Members to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5 as under-</p> <ul style="list-style-type: none"> (i) two from Modern system of medicine (ii) one from Indian System of Medicine and Homeopathy <p>All the above part-time members should be person of outstanding ability and integrity, having experience of not less than fifteen years in such field, out of which at least seven years shall be as the Head of a Department or the Head of an Institute or an organisation.</p> <p>(4)(f) Fourth part-time Member of Pharmacy Ethics and Registration Board shall be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted from amongst the pharmacy Members representing the State Pharmacy Councils under Section 24(3)(b)(iii) in such manner as may be prescribed. However, no single state will have more than one such second part time member in more than one board at any given point of time.</p>	
	<p>14. (1) The President and the whole-time Members of each Board shall hold office for a term not exceeding four years and shall not be eligible for any extension or re-appointment on the same or equivalent post. The part-time Member of each Board shall hold the office for a term of two years and shall not be eligible for any extension or re-appointment in the Board or the Commission:</p> <p>Provided further that the President or a Member shall cease to hold office after attaining the age of seventy years.</p>	<p>Term of office and conditions of service of President and Members.</p>
	<p>(2) The vacancies of each Board shall be filled in such manner as may be prescribed.</p>	
	<p>(3) The salaries and allowances payable to, and other terms and conditions of service of the President and the whole-time Members of Board shall be such as may be prescribed by the Central Government.</p>	
	<p>(4) Every part-time Member of Board shall be entitled for such allowances as may be prescribed by the Central Government.</p>	

	(5) The provisions of sub-sections (3), (4), (5), (6) and (7) of section 6 relating to other terms and conditions of service, and section 7 relating to removal from the office, of the Chairperson and Members of the Commission shall <i>mutatis mutandis</i> apply to the President and Members of the Boards.	
	15. Each Board shall be assisted by such advisory committees consisting of experts as may be constituted by the Commission, for the efficient discharge of the functions of such Boards.	Advisory committees of experts.
	16. (1) The experts, consultants, professionals, officers and other employees appointed under section 8 shall be made available to the Boards in such number and manner, as may be specified by regulations.	Staff of Boards.
	(2) The foreign experts and domain specialists from foreign countries invited by the Commission under section 8 shall also be made available to the Boards in such number and manner, as may be specified by regulations.	
	17. (1) Every Board shall meet at least once in two months at such time and place as it may be decided. Apart from this the Chairperson of the Commission/ President of the Board may decide to convene the additional meetings on need basis.	Meetings, etc., of Boards.
	(2) Every decision of the Boards shall be made by majority of votes of its respective President and Members. In case of a tie the President would have the casting vote.	
	(3) Subject to the provisions of section 22, a person aggrieved by any decision of Board, may prefer an appeal to the Commission against such decision within thirty days of the communication of that decision and the Commission shall, after giving an opportunity of being heard, dispose of the appeal within a period of Forty-five days from the date of such appeal.	
	18. (1) The President of each Board shall have such administrative and financial powers as may be delegated to it by the Commission to enable such Board for optimum functioning.	Powers of Boards and delegation of powers.
	(2) The President of Board may further delegate any of his/ her powers to a Member of such Board.	
	19. (1) The Pharmacy Education Board for Modern System of Medicine and The Pharmacy Education Board	Powers and functions of Pharmacy

	<p>for Indian System of Medicine and Homoeopathy shall perform the following functions, namely: –</p> <ul style="list-style-type: none"> (a) determine the minimum requirements and standards of pharmacy education and examination at diploma, undergraduate level and postgraduate level, in such manner as may be specified by regulations, and oversee all aspects relating thereto; (b) develop dynamic competency based curriculum at diploma, undergraduate level and postgraduate level, in such manner as may be specified by regulations, with a view to develop appropriate skill, knowledge, attitude, values and ethics to provide health care, impart pharmacy education and conduct research: <ul style="list-style-type: none"> Provided that the competencies shall be aligned with the needs of the national health programme, across continuum of care in varied healthcare settings in order to ensure optimum healthcare delivery system; (c) prescribe qualifications at the diploma, undergraduate level and postgraduate level in pharmacy and such other particulars, as may be specified by regulations; (d) prescribe standards for setting up of pharmacy institutions for imparting diploma, undergraduate and postgraduate courses, having regard to the needs of the country and the global norms, in such manner as may be specified by regulations; (e) determine the standards and norms for infrastructure, faculty and quality of education in pharmacy institutions providing diploma, undergraduate and postgraduate pharmacy education, in such manner as may be specified by regulations; (f) facilitate development and training of faculty members for teaching, research as well as international student and faculty exchange programmes relating to diploma, undergraduate, pharmacy education ; (g) specify norms for compulsory annual disclosures, clinical facilities, faculty, digitally or otherwise, by pharmacy institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, State 	<p>Education Board for Modern System of Medicine and Pharmacy Education Board for Indian System of Medicine and Homoeopathy.</p>
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	<p>Pharmacy Councils or Joint Pharmacy Councils, the Commission and the Central Government;</p> <p>(h) regulate the standards and scope of practice of registered pharmacy professionals, including pharmacy practitioners who have obtained the pharmacy qualification as provided by Pharmacy Education Board for Modern System of Medicine and Pharmacy Education for Indian System of Medicine and Homoeopathy, in such manner as may be specified by regulations.</p>	
	<p>(2) The Pharmacy Education Board for Modern System of Medicine and Pharmacy Education Board for Indian System of Medicine and Homoeopathy shall, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it may deem necessary.</p>	
	<p>20. (1) The Pharmacy Assessment and Rating Board shall perform the following functions, namely: –</p> <p>(a) the procedure for assessing and rating the pharmacy institutions for their compliance with the standards laid down by the Pharmacy Education Board for Modern System of Medicine and the Pharmacy Education Board for Indian System of Medicine and Homoeopathy, shall be such as may be specified by regulations;</p> <p>(b) grant permission for establishment of a new pharmacy institution, or to start any postgraduate level or higher qualification course, or to increase number of seats, in accordance with the provisions of section 22;</p> <p>(c) conduct inspections of pharmacy institution for assessing and rating such institutions in such manner as may be specified by regulations:</p> <p>Provided that the Pharmacy Assessment and Rating Board must ensure complete objectivity, fairness and transparency and adherence to principles of Natural Justice while carrying out assessments and ratings of pharmacy institutions;</p> <p>Provided that the Pharmacy Assessment and Rating Board may, if it deems necessary, hire and authorise any other inspection agency or accreditation body or persons for conducting inspections of pharmacy institutions for assessing and rating such institutions;</p>	<p>Powers and functions of Pharmacy Assessment and Rating Board.</p>

Provided further that where inspection of pharmacy institution is conducted by such inspection agency or accreditation body or persons authorised by the Pharmacy Assessment and Rating Board, it shall be obligatory on such institution to provide access to such agency or person;

Provided also that the Pharmacy Assessment and Rating Board may conduct evaluation and assessment of any pharmacy institution at any time, either directly or through any other expert having integrity and experience of pharmacy profession and without any prior notice and assess and evaluate the performance, standards and benchmarks of such pharmacy institution.

- (d) conduct, or where it deems necessary, empanel independent rating agencies to conduct, assess and rate all pharmacy institutions, within such period of their opening, at such time, and in such manner as may be specified by regulations;
- (e) make available on its website or in public domain the complete documents pertaining to assessment and ratings of pharmacy institutions within the shortest possible time in such manner as may be specified by regulations;
- (f) take such measures, including issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the Commission for withdrawal of recognition, against a pharmacy institution for failure to maintain the minimum essential standards specified by Powers and functions of Pharmacy Education Board for Modern System of Medicine and the Pharmacy Education Board for Indian System of Medicine and Homoeopathy, in such manner as may be specified by regulations:

Provided that the monetary penalty imposed shall not be less than one-tenth, and not more than five times, of the total amount charged, by whatever name called, by such institution for one full batch of students of diploma, undergraduate course or postgraduate course, as the case may be;

Provided further that the Pharmacy Assessment and Rating Board shall consult the Pharmacy Education Board for Modern System of

	<p>Medicine and the Pharmacy Education Board for Indian System of Medicine and Homoeopathy before recommending to the Commission for withdrawal of recognition of a pharmacy institution that fails to maintain the minimum essential standards specified by the Pharmacy Education Board for Modern System of Medicine and the Pharmacy Education Board for Indian System of Medicine and Homoeopathy as the case may be;</p>	
	<p>(2) The Pharmacy Assessment and Rating Board shall, in the discharge of its functions, make such recommendations to, and seek such directions from, the Commission, as it may deem necessary.</p>	
	<p>21. (1) The Pharmacy Ethics and Registration Board shall perform the following functions, namely: –</p> <ul style="list-style-type: none"> (a) create and maintain the National Register for all registered professionals in accordance with the provisions of section 26; (b) approve or reject applications for registration of professionals governed under this Act; (c) regulate professional conduct and promote pharmacy ethics including patient safety in such manner as may be specified by regulations: <ul style="list-style-type: none"> Provided that the Pharmacy Ethics and Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Pharmacy Council in a case where such State Pharmacy Council has been conferred power to take disciplinary action in respect of professional or ethical misconduct by pharmacy professionals under this Act; (d) develop mechanisms to have continuous interaction with State Pharmacy Council to effectively promote and regulate the conduct of pharmacy professionals; (e) exercise appellate jurisdiction with respect to the actions taken by a State Pharmacy Council under section 25; and (f) provide for mechanisms for receiving complaints and grievance redressal. 	<p>Powers and functions of Pharmacy Ethics and Registration Board.</p>
	<p>(2) The Pharmacy Ethics and Registration Board shall, in the discharge of its duties, make such recommendations to, and seek such directions from, the Commission, as it may deem necessary.</p>	

	<p>22. (1) No person shall establish a new pharmacy institution, or introduce any new Pharmacy course, or increase the number of seats in any existing course, except with the prior permission of Accreditation Committee, which shall consist of:</p> <ul style="list-style-type: none"> a) President, Pharmacy Assessment and Rating Board – Chairperson; b) President, Pharmacy Education Board for Modern System of Medicine — Member; c) The President, Pharmacy Education Board for Indian System of Medicine and Homoeopathy – Member; d) The President, Pharmacy Ethics and Registration Board – Member; e) One member nominated by the Chairperson of the Commission – Member. <p>Provided that the institutes imparting the M. Pharma course recognized by NIPER shall be exempted from the provisions of sub-section (1) of Section 22.</p>	<p>Permission for establishment of new Pharmacy institution.</p>
	<p>(2) For the purposes of obtaining permission under sub-section (1), a person may submit a proposal to the Pharmacy Assessment and Rating Board in such form, containing such particulars, accompanied by such fee, and in such manner, as may be specified by regulations.</p>	
	<p>(3) The Pharmacy Assessment and Rating Board shall, having due regard to the criteria specified in section 23, and in accordance with the provisions of sub-section (1), consider the proposal received under sub-section (2) and either approve or disapprove such proposal within a period of six months from the date of such receipt:</p> <p>Provided that before disapproving such proposal, an opportunity to rectify the defects, if any, shall be given to the person concerned.</p>	
	<p>(4) Where a proposal is approved under sub-section (3), such approval shall be deemed to be the permission under sub-section (1) to establish a new pharmacy institution or introduction of any new Pharmacy course or increase number of seats, as the case may be.</p>	
	<p>(5) Where a proposal is disapproved under sub-section (3), or where no decision is taken within three months of submitting a proposal under sub-section (2), the person concerned may prefer an appeal to the Commission for approval of that proposal within thirty days of such disapproval or, as the case may be, lapse of three months, in such manner as may be specified by regulations.</p>	

	<p>(6) The Commission shall decide the appeal received under sub-section (5) within a period of forty-five days from the date of receipt of the appeal and in case the Commission approves the proposal, such approval shall be the permission under sub-section (1) to establish a new pharmacy institution or introduction of any new Pharmacy course or increase number of seats, as the case may be, and in case the Commission disapproves the proposal, or fails to give its decision within the specified period, the person concerned may prefer a second appeal to the Central Government within fifteen days of communication of such disapproval or, as the case may be, after the lapse of specified period.</p>	
	<p><i>Explanation.</i>— For the purposes of this section, the term “person” includes a University, Institute, trust or any other association of persons or body of individuals, but does not include the Central Government.</p>	
	<p>23. The Pharmacy Assessment and Rating Board or, as the case may be, the Commission, shall, while approving or disapproving a proposal under section 22, take into consideration the following criteria, namely: —</p> <ul style="list-style-type: none"> (a) adequacy of financial resources; (b) whether adequate academic faculty and other necessary facilities have been provided to ensure proper functioning of pharmacy institution or will be provided within the time-limit specified in the proposal; (c) whether requisite facilities have been provided or will be provided within the time-limit specified in the proposal; and (d) such other factors as may be specified by regulations: <p>Provided that subject to the previous approval of the Central Government, the criteria may be relaxed for the pharmacy institutions which are set up in such areas as may be specified by regulations.</p>	<p>Criteria for approving or disapproving proposal.</p>
	<p>CHAPTER V</p> <p>STATE PHARMACY COUNCIL OR JOINT PHARMACY COUNCIL</p>	
	<p>24.(1) Every State Government/Union Territory Administration shall, within a period of one year from the date of commencement of this Act, by notification in the Official Gazette, reconstitute the State Pharmacy Council</p>	<p>Constitution and composition of State Pharmacy</p>

	<p>or Joint Pharmacy Council in accordance with the provisions of this Act for the purpose of exercising such powers and discharging such functions as are conferred thereunder.</p> <p>Provided that, in any State or Union Territory where no State Pharmacy Council exists, the same shall be constituted by a State law in accordance with the provisions of this Act.</p>	<p>Council or Joint Pharmacy Council</p>
	<p>(2) The State Pharmacy Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the same name sue or be sued.</p>	
	<p>(3) The State Pharmacy Council shall have a Chairperson, Nine <i>ex-officio</i> Members as follows, namely: —consist of the following Members, namely: -</p> <p>(a) The Chairperson shall be a person of outstanding ability, proven administrative capacity and integrity, possessing a basic degree in pharmacy and a postgraduate degree in pharmacy from any recognized University/Institute and having experience of not less than fifteen years in the field of pharmacy, out of which at least seven years shall be as a leader in the in the field of pharmacy, to be nominated by the State Government;</p> <p>(b) The following persons shall be the <i>ex-officio</i> members, namely: -</p> <p>i. one Director or Additional Director or Joint Director representing pharmacy in the Health Department of the State Government:</p> <p>Provided that if no such position exists in a State, the in-charge for pharmacy education and services may be appointed as such Member;</p> <p>ii. eight persons nominated by the State Government as below: -</p> <p>a. Two persons, not below the rank of Professor and holding the position of Dean or Head of the Department in any Pharmacy College or Institute under the State Government, out of which one person from Modern system of medicine and one from Indian system of medicine & Homeopathy pharmacy;</p> <p>Provided that where a Professor is not available, the senior-most faculty member</p>	

	<p>in the concerned discipline may be nominated by the State Government;</p> <p>b. two pharmacy professionals from pharmaceutical industry having at least fifteen-year experience in the field of out of which seven years as CEO/MD/Head of the Company/Organization/Industry, out of which one person from Modern system of medicine and one from Indian system of medicine & Homeopathy pharmacy;</p> <p>c. four persons to be elected by pharmacists registered in the State Register from among themselves, in such manner as may be prescribed by the State Government— Members out of which three from Modern system of Medicine and one from Indian system of medicine & Homeopathy;</p>	
	<p>(4) The Chairperson, and Members of the State Pharmacy Council referred to in section (3), shall hold office for a term not exceeding four years, as the State Government may notify in this behalf, from the date on which they enter upon their office, and shall not be eligible for any extension or reappointment for the same or equivalent post.</p>	<p>....</p>
	<p>(5) The Secretary of the State Pharmacy Council shall be a person of outstanding ability, proven administrative capacity and integrity, possessing such qualifications and experience, as may be prescribed by the State Government. He shall hold the office for a term of four years and shall not be eligible for any extension or reappointment. The Secretary shall discharge such functions of the State Pharmacy Council, as may be specified by regulations.</p>	
	<p>(6) Notwithstanding anything to the contrary contained in this section, two or more States/UTs Governments may enter into an agreement to constitute a Joint Pharmacy Council with representation of the participating States, not exceeding the composition specified in sub-section (3), to be in force for such period and subject to renewal for such further period, as may be specified in the agreement.</p>	

	<p>25. (1) The State Pharmacy Council shall take all such steps as it may think fit for ensuring coordinated and integrated development of education and maintenance of the standards of delivery of services under this Act.</p>	<p>Functions of State Pharmacy Council .</p>
	<p>(2) The State Pharmacy Council (SPC) may, for the purposes of performing its functions, —</p> <ul style="list-style-type: none"> (a) enforce the professional conduct, code of ethics and etiquette to be observed by the pharmacy professionals; (b) recommend to Commission for any disciplinary action including the removal of name of a professional from the Register; (c) ensure proper maintenance of the register of pharmacy professionals in the State and enhance their performance and core competencies; (d) if and when a pharmacy professional acquires additional proficiency/ competency/ skill through a course/ workshop/ seminar etc., from a recognised institution in India or abroad, the council issue appropriate certificate; (e) the council may also issue appropriate certificate needed by the pharmacy professional for practicing outside the state or country or any other administrative/ academic purposes; (f) ensure compliance of all the directives issued by the Commission; (g) the council shall maintain an effective communication channel with principal/ designated authority of all pharmacy colleges in the state; (h) perform such other functions as may be entrusted to it by the State Government or Union Territory administration or the Commission or as may be necessary for implementation of the provisions of this Act. 	
	<p>(3) Where a State Act confers power upon the State Pharmacy Council to take disciplinary action in respect of</p>	

	<p>any professional or ethical misconduct by a registered professional, the State Pharmacy Council shall act in such manner as may be specified by regulations and the guidelines framed under this Act:</p> <p>Provided that till such time as a State Pharmacy Council is constituted in a State, the Pharmacy Ethics and Registration Board shall receive the complaints and grievances relating to any professional or ethical misconduct against a registered professional in that State in accordance with such procedure as may be specified by regulations:</p> <p>Provided further that the Pharmacy Ethics and Registration Board or the State Pharmacy Council, as the case may be, shall give an opportunity of hearing to the registered professional concerned before taking any action, including imposition of any monetary penalty against such person.</p>	
	<p>(4) A registered professional who is aggrieved by any action taken by a State Pharmacy Council under sub-section (3), may prefer an appeal to the Pharmacy Ethics and Registration Board within a period of thirty days against such action, and the Pharmacy Ethics and Registration Board shall decide on the appeal within a period of forty-five days, and the decision of the Pharmacy Ethics and Registration Board thereupon shall be binding on the Pharmacy Council, unless a second appeal is preferred under sub-section (5).</p>	
	<p>(5) A registered professional who is aggrieved by the decision of the Pharmacy Ethics and Registration Board, may prefer a second appeal to the Commission within a period of thirty days of receipt of communication of such decision and the Commission shall dispose of such appeal within a period of Sixty days from the date of that appeal.</p>	
	<p>CHAPTER VI REGISTRATION</p>	
	<p>26. (1) The Pharmacy Ethics and Registration Board shall create and maintain an online and live National Register of Pharmacy Professionals containing the name, address, recognised qualifications possessed by a pharmacy professional and such other particulars as may be specified by regulations.</p>	<p>National Register and State Register.</p>

	(2) The Pharmacy Ethics and Registration Board shall maintain the National Register of Pharmacy Professionals in such form, including digital form, and in such manner, as may be specified by regulations.	
	(3) The manner in which a name or qualification may be added to, or removed from, the National Register of Pharmacy Professionals and the grounds for adding thereto or removal or transfer from one State to another thereof, shall be such as may be specified by regulations.	
47 of 2023.	(4) The National Register of Pharmacy Professionals shall be a public document within the meaning of section 74 of the Bharatiya Sakshya Adhinyam (BSA), 2023.	
	(5) The Pharmacy Ethics and Registration Board shall make available the National Register of Pharmacy Professionals to the public in the form of a digital portal accessible on the website of the Pharmacy Ethics and Registration Board /Commission in such manner and form as may be specified by regulations.	
	(6) Every State Pharmacy Council shall update the existing State Register of Pharmacy Professionals in the format, as specified by the Commission, and will communicate to the Pharmacy Ethics and Registration Board/ Commission within specified time.	
	(7) The Pharmacy Ethics and Registration Board shall ensure dynamic and electronic synchronisation of the National Register and the State Registers in such a manner that any change in one register is automatically reflected in the other register.	
48 of 1947.	<p>27. (1) Any person having a recognised pharmacy qualification, who qualifies the National Exit Test (Pharmacy) held under section 11, shall be granted a license to practice pharmacy and shall his/ her name and qualifications enrolled in the National Register or the State Register of Pharmacy Professionals, as the case may be, in such manner as specified by regulations:</p> <p>Provided that a person, who has been registered in the Pharmacy Register maintained under the Pharmacy Act, 1948 prior to the coming into force of this Act and before the National Exit Test (Pharmacy) becomes operational under sub-section (3) of section 11, shall be deemed to have been registered under this Act and be enrolled in the National Register or the State Register of</p>	Rights of persons to have license to practise and to be enrolled in National Register or State Register of Pharmacy Professionals and their obligations thereto.

	Pharmacy Professionals , as the case may be, maintained under this Act.	
	(2) No person, who has obtained a pharmacy qualification recognised under section 30 or section 31 or section 33 from a pharmacy institution established in a country outside India and/or recognised as a pharmacist in that country, shall, after the commencement of this Act and the National Exit Test (Pharmacy) becomes operational under sub-section (3) of section 11, shall be entitled for registration under this Act in such manner as may be specified by regulations.	
	(3) When a person, whose name is entered in the National Register or any State Register, as the case may be, obtains any title, diploma , B Pharm and Pharm D, or other qualification for proficiency in pharmacy sciences or public health or pharmacy, which is a recognised pharmacy qualification under section 29 or section 30 or section 31, as the case may be, he shall be entitled to have such title, diploma or qualification entered against his/ her name in the National Register or the same State Register, as the case may be, in such manner as may be specified by regulations.	
	(4) The registration and licence granted under this section shall be renewed in such manner as may be specified by regulations.	
47 of 2023.	<p>28. (1) No person, other than a person who is enrolled in the National Register or State Register, shall—</p> <p>(a) be allowed to practice pharmacy as a qualified pharmacy professional;</p> <p>(b) be entitled to give evidence at any inquest or in any court of law as an expert under section 36 of the Bharatiya Sakshya Adhinyam (BSA), 2023. on any matter relating to pharmacy:</p> <p>Provided that a foreign citizen who is enrolled in his/ her country as a pharmacy professional in accordance with the law regulating the registration of pharmacy professional in that country may be permitted temporary registration in India for such period and in such manner as may be specified by regulations.</p>	Bar to practice.
	(2) Any person who contravenes any of the provisions of this section shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to five lakh rupees, or with both.	

	<p>(3) Nothing contained in this section shall affect-</p> <p>(a) the right of a person enrolled in a State Register as professional of pharmacy to practice Indian System of Medicine and Homoeopathy pharmacy in any State merely on the ground that he does not possess, as on the date of commencement of this Act, a recognized qualification in the concerned system under Indian System of Medicine and Homoeopathy pharmacy, as the case may be;</p> <p>(b) the privileges, including the right to practice as professional of Indian System of Medicine and Homoeopathy Pharmacy, conferred by or under any law for the time being in force in a State on the professions of Indian System of Medicine and Homoeopathy Pharmacy enrolled in the State Register of that State;</p> <p>(c) the right of a person who has been practicing as professional of Ayush Indian System of Medicine and Homoeopathy pharmacy for not less than five years in a State, to continue to practice in that State in which a State Register of Indian System of Medicine and Homoeopathy pharmacy is not maintained as on the date of commencement of this Act.</p>	
	<p>CHAPTER VII</p> <p>RECOGNITION OF PHARMACY QUALIFICATIONS</p>	
	<p>29. (1) Every pharmacy qualification granted by any University or pharmacy institution in India shall be listed and maintained by the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy as the case be, in such manner, as may be specified by regulations, and such pharmacy qualification shall be a recognised pharmacy qualification for the purposes of this Act.</p> <p>Provided that the M Pharma qualification recognized by NIPER shall also be considered as the recognized qualification for the purposes of this Act.</p>	<p>Recognition of pharmacy qualifications granted by Universities or pharmacy institutions in India.</p>
	<p>(2) Every University or pharmacy institution in India which conducts any course for pharmacy qualification, not included in the list maintained by the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy may apply to that Board /Commission for granting recognition to such qualification, in such manner as may be specified by regulations.</p>	

	<p>(3) The Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy shall examine the application for grant of recognition to a diploma, undergraduate or postgraduate or speciality or clinical pharmacy speciality or pharmacy practitioner course in all specialities of pharmacy qualification within a period of six months, in such manner as may be specified by regulations.</p>	
	<p>(4) Where the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy decides to grant recognition to a pharmacy qualification, it shall include such qualification in the list maintained by it and also specify the date of effect of such recognition.</p>	
	<p>(5) An institution or University aggrieved by the decision under sub-section (3) may, within thirty days from the communication of such decision, prefer an appeal to the Commission and the Commission shall, within a period of forty-five days from the date of filing of such appeal, pass such orders as it thinks fit, after giving an opportunity of being heard.</p>	
	<p>(6) Where the Commission decides not to grant recognition to the pharmacy qualification or fails to take a decision within the specified period, the University or pharmacy institution concerned may prefer a second appeal to the Central Government within a period of fifteen days of the communication of such decision or after the lapse of specified period, as the case may be.</p>	
48 of 1947.	<p>(7) All pharmacy qualifications which have been recognised before the date of commencement of this Act and are included in the Schedule to the Pharmacy Act, 1948, shall also be recognised pharmacy qualifications for the purposes of this Act, and shall be listed and maintained by the Pharmacy Education Board in such manner as may be specified by regulations.</p>	
	<p>(8) If any authority within a State, being recognised by the State Government in consultation with the State Pharmacy Council or any a body, if any, for the purpose of granting any qualification, grants a qualification which is not recognised by the Commission , then, such authority may apply to the Commission to have such qualification recognised, and the Commission may declare that such qualification, or such qualification only when granted after</p>	

	a specified date, shall be a recognised qualification for the purposes of this Act.	
	(9) Every State Government may, for the purposes of addressing or promoting public health pharmacy practice in rural areas, take necessary measures to enhance the capacity of the pharmacy professionals.	
	30.(1) Any primary pharmacy qualification or higher pharmacy qualification which is recognised for enrolment as a pharmacist in a foreign country shall, in respect of a person who qualifies the National Exit Test (Pharmacy) for primary pharmacy qualification, or the Screening Test for higher pharmacy qualification, be deemed to be a recognised pharmacy qualification for the purposes of this Act.	Recognition of pharmacy qualifications granted by pharmacy institutions outside India.
	(2) The Commission shall, for the purposes of sub-section (1), conduct Screening Test for higher Pharmacy qualification through such designated authority, and in such manner, as may be specified by regulations.	
	(3) All Pharmacy qualifications which have been recognised before the date of commencement of this Act under the Pharmacy Act, 1948, shall also be recognised pharmacy qualifications for the purposes of this Act, and shall be listed and maintained by the Commission in such manner as may be specified by regulations.	
	31. (1) The pharmacy qualifications granted by any statutory or other recognised body in India before the commencement of this Act, shall be recognised as pharmacy qualifications in such manner as may be specified by the Commission for the purposes of this Act.	Recognition of pharmacy qualifications granted by statutory or other body in India.
	(2) The Central Government may, on the recommendation of the Commission, and having regard to the objects of this Act, by notification, add to, or, as the case may be, omit any category of pharmacy qualifications granted by a statutory or other body in India and on such addition, or as the case may be, omission, the pharmacy qualifications granted by such statutory or other body in India shall be, or shall cease to be, recognised pharmacy qualifications for the purposes of this Act.	
	32. (1) Where, upon receiving the recommendations or report from the Pharmacy Assessment and Rating Board under section 20, or from a State Pharmacy Council or a	Withdrawal of recognition granted to pharmacy

	<p>State Government or otherwise, if the Commission is of the opinion that—</p> <p>(a) the courses of study and examination to be undergone in, or the proficiency required from candidates at any examination held by, a University or pharmacy institution do not conform to the standards specified by the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy; or</p> <p>(b) the standards and norms for infrastructure, faculty and quality of education in the pharmacy institution, as determined by the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy are not adhered to by any University or pharmacy institution, and such University or pharmacy institution has failed to take necessary corrective action to maintain specified minimum standards, the Commission may initiate action in accordance with the provisions of sub-section (2).</p>	<p>qualification granted by pharmacy institutions in India.</p>
	<p>(2) The Commission shall, after making such further enquiry as it deems fit, and after holding consultations with the concerned State Government and the authority of the concerned University or pharmacy institution, comes to the conclusion that the recognition granted to a pharmacy qualification ought to be withdrawn, it may, by order, withdraw recognition granted to such qualification and direct the Pharmacy Education Board for Modern system of medicine or the Pharmacy Education Board for Indian System of Medicine and Homoeopathy to amend the entries against the University or pharmacy institution concerned in the list maintained by that Board to the effect that the recognition granted to such pharmacy qualification is withdrawn with effect from the date specified in that order.</p>	
	<p>33. Where the Commission deems it necessary, it may, by an order published in the Official Gazette, direct that any pharmacy qualification granted by a pharmacy institution in a country outside India, after such date as may be specified in that order, shall be a recognised pharmacy qualification for the purposes of this Act:</p> <p>Provided that before providing the recognition, the equivalence in terms of curriculum, practical training, Internships etc. where-ever applicable, and number of</p>	<p>Special provision in certain cases for recognition of pharmacy qualifications.</p>

	<p>years of course, may be examined in such manner as may be specified by regulations:</p> <p>Provided further that practice by a person possessing such qualification shall be permitted in such manner as may be specified by regulations. .</p>	
	<p>34. Where, after verification with the authority in any country outside India, the Commission is of the opinion that a recognised pharmacy qualification which is included in the list maintained by it is to be derecognised, it may, by order, derecognise such pharmacy qualification and remove it from the list maintained by the Commission with effect from the date of such order.</p>	<p>De-recognition of pharmacy qualifications granted by pharmacy institutions outside India.</p>
	<p>CHAPTER VIII</p> <p>PHARMACY ADVISORY COUNCIL</p>	
	<p>35. (1) The Central Government shall constitute an advisory body to be known as the Pharmacy Advisory Council.</p>	<p>Pharmacy Advisory Council.</p>
	<p>(2) The Pharmacy Advisory Council (hereafter in this Chapter referred to as the Advisory Council) shall consist of a Chairperson and the following Members, namely: —</p> <p>(a) the Chairperson of the Commission shall be the <i>ex officio</i> Chairperson of the Advisory Council;</p> <p>(b) one officer not below the rank of Joint Secretary representing Ministry of Modern System of Medicine - Member, ex officio;</p> <p>(c) one officer not below the rank of Joint Secretary representing Ministry of AYUSH - Member, ex officio;</p> <p>(c) Presidents of the four Boards – Members, ex officio;</p> <p>(d) Secretary of the Commission – Member, ex officio; shall be the Member Secretary of Pharmacy Advisory Council;</p> <p>(e) the Chairperson or nominee (not below the rank of Joint Secretary or equivalent), University Grants Commission/Higher Education Commission of India (after its constitution and by the name then finalized for this Commission) – Member, ex officio;</p> <p>(f) the Director, National Assessment and Accreditation Council – Member, ex officio;</p>	

	<p>(g) Drugs Controller General of India (DCGI); Member, ex-officio;</p> <p>(h) the Director General of Health Services, India, Member, ex-officio;</p> <p>(i) the Additional Director General, Ayush, India, Member, ex-officio;</p> <p>(j) Secretary cum Scientific Director, Indian Pharmacopoeia Commission (IPC), Member, ex-officio;</p> <p>(k) the Director, Pharmacopoeia Commission for Indian Medicine and Homeopathy, Member, ex-officio;</p> <p>(l) Director, NIPER, nominated by the Dept. of Pharmaceutical– Members, ex officio;</p> <p>(m) Three persons from each of the six zones, representing the States and Union territories therein, being Heads of Institutions, Vice-Chancellors or Deans of pharmacy institutions, shall be nominated by the respective State Governments or, in the case of Union territories, by the Ministry of Home Affairs, Government of India, on a biennial rotational basis, in such manner as may be prescribed –Part time Member;</p> <p>(n) Head of any of the national level professional pharmacy associations, to be nominated by the Central Government –part time member.</p> <p>(o) six eminent professionals from Pharmaceutical industry nominated by Central government –part time member.</p>	
	<p>(3) The Members nominated under clauses (m), (n) and (o) of sub-section (2) shall hold office for a term not exceeding two years, as the Central Government may notify in this behalf, from the date on which they enter upon their office.</p>	
	<p>36. (1) The Advisory Council shall be the primary platform through which the States and Union Territories may put forth their views and concerns before the Commission and help in shaping the overall agenda, policy and action relating to pharmacy education, services, training and research.</p>	<p>Functions of Pharmacy Advisory Council.</p>
	<p>(2) The Advisory Council shall advise the Commission on measures to determine and maintain, and to co-ordinate</p>	

	maintenance of, the minimum standards in all matters relating to pharmacy education, services, training and research.	
	(3) The Advisory Council shall advise the Commission on measures to enhance equitable access to pharmacy education, services, training and research.	
	37. (1) The Advisory Council shall meet at least twice a year at such time and place as may be decided by the Commission.	Meetings of Pharmacy Advisory Council.
	(2) The Chairperson of the Advisory Council shall preside over the meeting of the Advisory Council and if for any reason the Chairperson is unable to attend a meeting of the Advisory Council, such other Member as may be nominated by the Chairperson shall preside over such meeting. In case of tie, the Chairperson shall have the casting vote.	
	(3) Unless the procedure is otherwise provided by regulations, fifty percent of the Members of the Advisory Council including the Chairperson shall form the quorum and all acts of the Advisory Council shall be decided by a majority of the Members present and voting.	
	CHAPTER IX GRANTS, AUDIT AND ACCOUNTS	
	38. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Commission grants of such sums of money as the Central Government may think fit.	Grants by Central Government.
	39. (1) There shall be constituted a fund to be called the National Pharmacy Commission Fund, which shall form part of the public account of India and there shall be credited thereto— (a) all fees, penalties and charges received by the Commission and the Boards; (b) all sums received by the Commission from such other sources as may be decided by it.	National Pharmacy Commission Fund.
	(2) The Fund shall be applied for making payment towards— (a) the salaries and allowances payable to the Chairperson, Secretary and Members of the Commission, the Presidents and Members of the	

	<p>Boards and the administrative expenses including the salaries and allowances payable to the officers and other employees of the Commission and Boards;</p> <p>(b) the expenses incurred in carrying out the provisions of this Act, including in connection with the discharge of the functions of the Commission and the Boards.</p> <p>(c) the funds shall also be utilized to support and advance pharmacy students' and teachers' academic careers and research endeavors</p>	
	40. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.	Audit and accounts.
	(2) The accounts of the Commission shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General of India.	
	(3) The Comptroller and Auditor-General of India and any other person appointed by him in connection with the audit of the accounts of the Commission shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and in particular, shall have the right to demand the production of, and complete access to, records, books, accounts, connected vouchers and other documents and papers and to inspect the office of the Commission.	
	(4) The accounts of the Commission as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Commission to the Central Government which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.	
	41. (1) The Commission shall furnish to the Central Government, at such time, in such form and in such manner, as may be prescribed or as the Central Government may direct, such reports and statements, containing such particulars in regard to any matter under	Furnishing of returns and reports to Central Government.

	the jurisdiction of the Commission, as the Central Government may, from time to time, require.	
	(2) The Commission shall prepare, once every year, in such form and at such time as may be prescribed, an annual report, giving a summary of its activities during the previous year and copies of the report shall be forwarded to the Central Government.	
	(3) A copy of the report received under sub-section (2) shall be laid by the Central Government, as soon as may be after it is received, before each House of Parliament.	
	CHAPTER X POWERS OF CENTRAL GOVERNMENT, COMMISSION AND STATE GOVERNMENT	
	42. (1) Without prejudice to the provisions of this Act, the Commission, the Boards and the Pharmacy Advisory Council shall, in exercise of their powers and discharge of their functions under this Act, be bound by such directions on questions of policy as the Central Government may give in writing to them from time to time: Provided that the Commission, the Boards, and the Advisory Council shall, as far as practicable, be given an opportunity to express their views before any direction is given under this sub-section.	Power of Central Government to give directions to the Commission, Boards and Pharmacy Advisory Council.
	(2) The decision of the Central Government whether a question is one of policy or not, shall be final.	
	43. The Central Government may give such directions, as it may deem necessary, to a State Government for carrying out all or any of the provisions of this Act and the State Government shall comply with such directions.	Power of Central Government to give directions to State Governments
	44. (1) If, at any time, the Central Government is of the opinion that — (a) the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or	Power of Central Government to supersede Commission.

	<p>(b) the Commission has persistently made default in complying with any direction issued by the Central Government under this Act or in the discharge of the functions and duties imposed on it by or under the provisions of this Act,</p> <p>the Central Government may, by notification, supersede the Commission for such period, not exceeding six months, as may be specified in such notification:</p> <p>Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the Commission to show cause as to why it should not be superseded and shall consider the explanations and objections, if any, of the Commission.</p>	
	<p>(2) Upon the publication of a notification under sub-section (1) superseding the Commission—</p> <p>(a) all its Members shall, as from the date of supersession, vacate their offices as such;</p> <p>(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Commission, shall, until the Commission is re-constituted under sub-section (3), be exercised and discharged by such pharmacy professionals as the Central Government may direct; and</p> <p>(c) all property owned or controlled by the Commission shall, until the Commission is re-constituted under sub-section (3), vest in the Central Government.</p>	
	<p>(3) On the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government may—</p> <p>(a) extend the period of supersession for such further term not exceeding six months, as it may consider necessary; or</p> <p>(b) re-constitute the Commission by fresh appointments and in such case the Members who vacated their offices under clause (a) of sub-section (2) shall not be deemed to be disqualified for appointment:</p> <p>Provided that in case of a member who had earlier vacated office under clause a of sub-section 2, such member will only be appointed for the residual period of his/ her term starting from the day of first appointment as</p>	

	<p>member (the days during which such member vacated the office will not be counted for the purpose of calculations).</p> <p>Provided that the Central Government may, at any time before the expiration of the period of supersession, whether as originally specified under sub-section (1) or as extended under this sub-section, take action under clause (b) of this sub-section.</p>	
	<p>(4) The Central Government shall cause a notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before both Houses of Parliament at the earliest opportunity.</p>	
	<p>45. (1) The Central Government may, subject to the condition of previous publication, make rules for carrying out the provisions of this Act.</p>	<p>Power of Central Government to make rules.</p>
	<p>(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —</p> <p>(a) the qualifications and experience required for a pharmacy leader under section 4;</p> <p>(b) the six zones referred to in serial number (i) and (ii) of sub-section (c) of section 4 and the manner of appointing Members of the Commission under serial number (xi) of sub-section (b) and serial number (iii) and (iv) of sub-section (c) of section 4;</p> <p>(c) the manner of nominating experts by the Central Government under clause (b) and (c) of sub-section (1) of section 5;</p> <p>(d) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (4) of section 6;</p> <p>(e) the form and manner of making declaration under sub-section (6) of section 6;</p> <p>(f) the qualifications and experience to be possessed by the Secretary of the Commission under sub-section (2) of section 8;</p> <p>(g) the salaries and allowances payable to and other terms and conditions of service of the Secretary, officers and other employees of the Commission under sub-section (7) of section 8;</p> <p>(h) to ensure coordination and oversee the boards of the commission under sub-section (2) of section 10;</p>	

	<p>(i) the other functions of the Commission under clause (p) of sub-section (3) of section 10;</p> <p>(j) the manner of filling up of vacancies of each Board under sub-section (2) of section 14;</p> <p>(k) the salary and allowances payable to, and other terms and conditions of service of the President and Members of the Board under sub-sections (3) and (4) of section 14;</p> <p>(l) the form for preparing annual statement of accounts under sub-section (1) of section 40;</p> <p>(m) the time within which, and the form and the manner in which, the reports and statements shall be furnished by the Commission and the particulars with regard to any matter as may be required by the Central Government under sub-section (1) of section 41;</p> <p>(n) the form and the time for preparing annual report under sub-section (2) of section 41;</p> <p>(o) the amount of compensation for which the employees of the erstwhile Pharmacy Council of India shall be entitled under the proviso to sub-section (5) of section 58; and</p> <p>(p) any other matter in respect of which provision is to be made by rules for carrying out the purposes of this Act.</p>	
	46. The Commission may give such directions, as it may deem necessary, to a State Pharmacy Council for carrying out all or any of the provisions of this Act and the State Pharmacy Council shall comply with such directions.	Power of Commission to give directions to State Pharmacy Councils
	47. (1) The Commission shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as that Government may require.	Information to be furnished by Commission and publication thereof.
	(2) The Central Government may publish, in such manner as it may think fit, the reports, minutes, abstracts of accounts and other information furnished to it under sub-section (1).	
	48. (1) The Commission may, subject to the condition of previous publication, make regulations consistent with this	Power to make regulations.

	Act and the rules made thereunder to carry out the provisions of this Act.	
	(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—	
	<p>(a) the functions to be discharged by the Secretary of the Commission under sub-section (5) of section 8;</p> <p>(b) the procedure in accordance with which experts, consultants and professionals may be engaged and the number of such experts, consultants and professionals under sub-section (8) of section 8;</p> <p>(c) the procedure in accordance with which and the number of experts and domain specialists are to be invited from foreign countries for meetings of the Commission under sub-section (9) of section 8;</p> <p>(d) the procedure to be followed at the meetings of Commission, including the quorum at its meetings under sub-section (3) of section 9;</p> <p>(e) steps to be taken for the coordinated and integrated development of education and maintenance of the standards of delivery of services, with periodic revision under sub-section (1) of section 10;</p> <p>(f) the purposes of performing its functions by the Commission under sub-section (2) of section 10;</p> <p>(g) the delegate its functions to the Boards by the Commission under sub-section (3) of section 10;</p> <p>(h) the execution of functions under this Act by every Board referred in sub-section (1) of section 11 under sub-section (2) of section 11;</p> <p>(i) the designated authority, and the manner for conducting the National Exit Test (Pharmacy) under sub-section (2) of section 11;</p> <p>(j) the manner in which a person with foreign Pharmacy qualification shall qualify National Exit Test (Pharmacy) and the manner of his enrolment in the State Register or the National Register under sub-section (4) of section 11;</p> <p>(k) the manner in which admission to the postgraduate pharmacy education shall be made on the basis of National Exit Test (Pharmacy) under sub-section (5) of section 11;</p>	

(l) the manner of conducting common counselling by the designated authority for admission to the postgraduate pharmacy education under sub-section (6) of section 11;

(m) the manner of making available the experts, consultants, professionals, officers and other employees appointed including the experts and domain specialists invited from foreign countries under section 8, to the Boards under section 16;

(n) the manner of determining the minimum requirements and standards of pharmacy education and examination at diploma, undergraduate level and postgraduate level under clause (a) of sub-section (1) of section 19;

(o) the manner of developing dynamic competency based curriculum at diploma, undergraduate level and postgraduate level under clause (b) of sub-section (1) of section 19;

(p) prescribing qualifications at the diploma, undergraduate level and postgraduate level in pharmacy and such other particulars under clause (c) of sub-section (1) of section 19;

(q) the standards for setting up of pharmacy institutions for imparting diploma, undergraduate and postgraduate courses, having regard to the needs of the country and the global norms under clause (d) of sub-section (1) of section 19;

(r) the manner of determining the standards and norms for infrastructure, faculty and quality of education in pharmacy institutions providing diploma, undergraduate and postgraduate pharmacy education under clause (e) of sub-section (1) of section 19;

(s) facilitate development and training of faculty members for teaching, research as well as international student and faculty exchange programmes relating to diploma, undergraduate, pharmacy education under clause (f) of sub-section (1) of section 19;

(t) specify norms for compulsory annual disclosures, clinical facilities, faculty, digitally or otherwise, by pharmacy institutions, in respect of their functions that has a bearing on the interest of all stakeholders including students, faculty, State Pharmacy Councils, the Commission and the Central

Government under clause (g) of sub-section (1) of section 19;

(u) the manner of regulating the standards and scope of practice of registered pharmacy professionals, including pharmacy practitioners who have obtained the pharmacy qualification as provided by Pharmacy Education Board for Modern system of Medicine or Pharmacy Education Board for Indian System of Medicine and Homoeopathy under clause (h), and the manner of regulating the limited prescribing authority in consultation with the Commission under serial number (h), of sub-section (1) of section 19;

(v) the manner of determining the procedure for assessing and rating the pharmacy institutions for their compliance with the standards laid down by the Pharmacy Education Board under clause (a) of sub-section (1) of section 20;

(w) the manner of carrying out inspections of pharmacy institution for assessing and rating such institutions under clause (c) of sub-section (1) of section 20;

(x) the time and manner of conducting, or where it deems necessary, empanelling independent rating agencies to conduct, assess and rate all pharmacy institutions, within such period of their opening under clause (d) of sub-section (1) of section 20;

(y) the manner of making available on the website or in public domain the assessment and ratings of pharmacy institutions at regular intervals, under clause (e) of sub-section (1) of section 20;

(z) the measures to be taken including the manner of issuing warning, imposition of monetary penalty, reducing intake or stoppage of admissions and recommending to the Commission for withdrawal of recognition, against a pharmacy institution for failure to maintain the minimum essential standards specified by the Pharmacy Education Board for Modern System of Medicine or the pharmacy Education Board for Indian System of Medicine and Homoeopathy under clause (f) of sub-section (1) of section 20;

(za) the manner of regulating professional conduct and promoting pharmacy ethics under clause (c) of sub-section (1) of section 21;

(zb) the form, particulars and fee for submitting a proposal to the Pharmacy Assessment and Rating Board for the purposes of obtaining permission under sub-section (1) of section 22, under sub-section (2) of the said section;

(zc) the manner of preferring appeal to the Commission under sub-section (5) of section 22;

(zd) other factors to be taken into consideration by the Pharmacy Assessment and Rating Board or, as the case may be, the Commission while approving or disapproving a proposal under section 23, and the pharmacy institutions set up in such areas which are eligible for relaxation of the criteria under the said section;

(ze) functions discharged by the Secretary of the State Pharmacy Council, under sub-section (5) of section 24;

(zf) the manner of taking disciplinary actions by the State Pharmacy Council in respect of any professional or ethical misconduct by a registered professional under sub-section (3) of section 25;

(zg) the manner of receiving the complaints and grievances relating to any professional or ethical misconduct against a registered professional in a State by the Pharmacy Ethics and Registration Board under the first proviso to sub-section (3) of section 25;

(zh) the acts of commission or omission which would amount to professional or ethical misconduct under the *Explanation* to section 25;

(zi) such other particulars to be specified in the online and live National Register created and maintained by the Pharmacy Ethics and Registration Board under sub-section (1) of section 26;

(zj) the form and manner in which the National Register is to be created and maintained under sub-section (2) of section 26;

(zk) the manner in which a name or qualification may be added to, or removed from, the National Register and the grounds for adding thereto or removal thereof under sub-section (3) of section 26;

(zl) the form and manner in which the National Register shall be made available to the public by

placing it on the website of the Commission under sub-section (5) of section 26;

(zm) the manner of granting a registration as pharmacy professional to a person who has obtained a recognised pharmacy qualification and getting his/her name and qualifications enrolled in the National Register or the State Register of Pharmacy Professionals under sub-section (1) of section 27;

(zn) the manner of be registered of a Indian citizen who has obtained a recognized pharmacy qualification from a foreign institution under sub-section (2) of section 27;

(zo) the manner of getting entered the title, diploma or qualification against his/ her name in the National Register or the State Register under sub-section (3) of section 27;

(zp) the manner of renewal of registration under sub-section (4) of section 27;

(zq) the period and manner in which a foreign citizen may be permitted temporary registration in India under the proviso to sub-section (1) of section 28;

(zr) the manner of listing and maintaining pharmacy qualification granted by any University or pharmacy institution in India by the Pharmacy Education Board for Modern System of Medicine or the pharmacy Education Board for Indian System of Medicine and Homoeopathy under sub-section (1) of section 29;

(zs) the manner of listing and maintaining pharmacy qualification granted by any University or pharmacy institution in India by the Pharmacy Education Board for Modern System of Medicine or the pharmacy Education Board for Indian System of Medicine and Homoeopathy under sub-section (2) of section 29;

(zt) the manner of examining the application for grant of recognition to an diploma, undergraduate or postgraduate or speciality or clinical pharmacy speciality or pharmacy practitioner course in all specialities of pharmacy qualification under sub-section (3) of section 29;

(zu) the manner of listing and maintaining all pharmacy qualifications which have been recognised before the date of commencement of this Act and are included in the Part-I and Part-II of the Schedule to the

	<p>Pharmacy Act, 1948 under sub-section (7) of section 29;</p> <p>(zv) the designated authority for conducting Screening Test for higher pharmacy qualification, and the manner of conducting the Screening Test under sub-section (2) of section 30;</p> <p>(zw) the manner of listing and maintaining pharmacy qualifications which have been granted recognition before the date of commencement of this Act under sub-section (3) of section 30;</p> <p>(zx) the manner of examining the equivalence in terms of curriculum, practical training and number of years of course under the first proviso to section 33;</p> <p>(zy) the manner in which a person possessing necessary qualification shall be permitted to practice under the second proviso to section 33;</p> <p>(zz) the procedure to be followed at the meetings of Pharmacy Advisory Council under sub-section (3) of section 37; and</p> <p>(zza) any other matter in respect of which provision is to be made by regulations for carrying out the purposes of this Act.</p>	
	49. (1) The State Government may, by notification, make rules for carrying out the provisions of section 24 and sub-section (9) of section 29.	Power of State Government to make rules.
	(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for the qualifications and experience to be possessed by members to be nominated in the State Pharmacy Council or Joint Pharmacy Council under clauses (a) and (b) of sub-section (3) of section 24.	
	(3) Every rule made under this section shall, as soon as may be, after it is made, be laid before the State Legislature.	
	PART XI MISCELLANEOUS	
	50. Every University and pharmacy institution governed under this Act shall maintain a website at all times and display on its website all such information as may be	Obligation of Universities and

	required by the Commission or the Board, as the case may be.	pharmacy institutions.
	51. (1) Notwithstanding anything contained in this Act, any student who was studying for a degree, diploma or certificate in any pharmacy institution, immediately before the commencement of this Act, shall continue to study and complete his/ her course for such degree, diploma or certificate, and such institution shall continue to provide instructions and examination for such student in accordance with the syllabus and studies as existed before such commencement, and that student shall be deemed to have completed his/ her course of study under this Act and shall be awarded degree, diploma or certificate under this Act.	Completion of courses of studies in pharmacy institutions.
	(2) Notwithstanding anything contained in this Act, where recognition granted to a pharmacy institution has lapsed, whether by efflux of time or by its voluntary surrender or for any other reason, such pharmacy institution shall continue to maintain and provide the minimum standards required to be provided under this Act till such time as all candidates who are admitted in that pharmacy institution complete their study.	
45 OF 2023	52. The Chairperson, Members, officers and other employees of the Commission and State Pharmacy Councils , and the President, Members and officers and other employees of the Boards, shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 2 of the Bharatiya Nyaya Sanhita (BNS), 2023.	Chairperson, Members, officers of Commission and of Boards to be public servants.
	53. No suit, prosecution or other legal proceeding shall lie against the Government, the Commission or any Board or a State Pharmacy Council or any committee thereof, or any officer or other employee of the Government or of the Commission acting under this Act for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.	Protection of action taken in good faith.
	54. No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made in this behalf by an officer authorised by the Commission or the Pharmacy Ethics and Registration Board or a State Pharmacy Council , as the case may be.	Cognizance of offences.

	<p>55. Every rule and regulation made and every notification issued under this Act shall be laid, as soon as may be after it is made or issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or notification; both Houses agree that the rule or regulation or notification should not be made or issued, the rule or regulation or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification.</p>	<p>Laying of rules, regulations and notifications before Parliament.</p>
	<p>56. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary, for removing the difficulty:</p> <p>Provided that no order shall be made under this section after the expiry of a period of three years extendable upto 2 years by Central Government in case of extra-ordinary situations, from the commencement of this Act.</p>	<p>Power to remove difficulties.</p>
	<p>(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.</p>	
	<p>57(1). The Central Government shall, as soon as may be but within three months from the date on which this Act receives the assent of the President, constitute a Board of Governors for one year or until a regular National Commission is formed under Section 3 of this Act, whichever is earlier.</p>	<p>Constitution of Board of Governors.</p>
	<p>(2) The Board of Governors shall discharge the functions assigned to the National Commission under this Act and shall follow its own procedures in the performance of its duties. The powers of the existing Central Council shall stand vested in the Board of Governors and shall thereafter vest in the Commission for the purpose of discharging the functions assigned under the Pharmacy Act, 1948 and the regulations made thereunder.</p>	

	(3) The Board of Governors shall be assisted by secretariat's staff of PCI for discharging its duties.	
	(4) Central Government shall provide sufficient grant-in-aid to the Board of Governors to discharge its duties.	
	(5) Central Government shall, on the advice of the Board of Governors, appoint a Secretary to the Board of Governors.	
8 of 1948.	58. (1) With effect from such date as the Central Government may appoint in this behalf, the Pharmacy Act, 1948 shall stand repealed and the Pharmacy Council of India constituted under section 3 of the said Act shall stand dissolved.	Repeal and saving.
	(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect, — (a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or (b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or (c) any penalty incurred in respect of any contravention under the Act so repealed; or (d) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed as if that Act had not been repealed.	
	(3) On the dissolution of the Pharmacy Council of India, the person appointed (elected/nominated) as the President and every other person appointed as the Member of the Pharmacy Council of India shall vacate their respective offices.	
	(4) Every officer who has been appointed on deputation basis in the Pharmacy Council of India shall, on its dissolution, stand reverted to his/ her parent cadre, Ministry or Department, as the case may be.	
	(5) The services of other employees who have been, before the dissolution of the Pharmacy Council of India, employed on regular basis by the Pharmacy Council of India, shall continue for no longer than one year after the commencement of this Act, as an interim arrangement and thereafter, further continuity or otherwise of their	

	services shall be determined by the Commission on the basis of their performance appraisal or evaluation.	
	Provided that such employees of the erstwhile Pharmacy Council of India shall be entitled to compensation which shall not be less than three months' pay and allowances, as may be prescribed.	
8 of 1948.	(6) Notwithstanding the repeal of the Pharmacy Act, 1948, any order made, any licence to practice issued, any registration made, any permission to start a new pharmacy college or institution, or to start higher course of studies, or for increase in the admission capacity granted, or any recognition of pharmacy qualifications granted, under the said Act, which are in force as on the date of commencement of this Act, shall continue to be in force till the date of their expiry for all purposes, as if they had been issued or granted under the provisions of this Act or the rules or regulations made thereunder.	
	59. (1) The Commission shall be the successor in interest to the Pharmacy Council of India including its subsidiaries or owned trusts and all the assets and liabilities of the Pharmacy Council of India shall be deemed to have been transferred to the Commission.	Transitory provisions.
8 of 1948.	(2) Notwithstanding the repeal of the Pharmacy Act, 1948, the educational standards, requirements and other provisions of the said Act and the rules and regulations made thereunder shall continue to be in force and operate till new standards or requirements are specified under this Act or the rules and regulations made thereunder: Provided that anything done, or any action taken, as regards the educational standards and requirements under the enactment under repeal and the rules and regulations made thereunder, shall be deemed to have been done or taken under the corresponding provisions of this Act and shall continue in force accordingly unless and until superseded by anything done or by any action taken under this Act.	
8 of 1948.	Notwithstanding the repeal of the Pharmacy Act, 1948, the State Council and the Joint State Council constituted respectively under section 19 and section 21 of the said Act shall continue to operate until a new State Pharmacy Council is established by the State Government in accordance with the provisions of section 24 of this Act.	