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भारत सरकार/ GOVT. OF INDIA  
MINISTRY OF HEALTH & FAMILY WELFARE  
स्वास्थ्य एवं परिवार कल्याण मंत्रालय

Nirman Bhawan, New Delhi  
Dated 10<sup>th</sup> November, 2023.

**PUBLIC NOTICE**

General Public is hereby informed that the Ministry of Health and Family Welfare proposes to finalize National Pharmacy Commission Bill, 2023 for setting up the National Pharmacy Commission and repealing the Pharmacy Act, 1948. Accordingly, a draft National Pharmacy Commission Bill has been prepared and is attached for comments of the General Public/Stakeholders. Comments may be furnished via e-mail at hrhcell-mohfw@nic.in within one month of uploading of this notice.

Encl: As above

Signed by  
Poonam Meena  
(Dr. Poonam Meena)  
Date: 10-11-2023 15:37:16  
Deputy Secretary to the Govt. of India  
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	THE NATIONAL PHARMACY COMMISSION BILL, 2023	
	A Bill	
	to provide for a pharmacy education system that improves access to quality and affordable pharmacy or pharmaceutical education, ensures availability of adequate and high quality pharmacy professionals in all parts of the country; that promotes equitable and universal healthcare and makes services of pharmacy professionals accessible to all the citizens; that promotes national health goals; that encourages pharmacy professionals to adopt latest pharmacy research in their work and to contribute to research; that has an objective periodic and transparent assessment of pharmacy institutions and facilitates maintenance of a pharmacy register for India and enforces high ethical standards in all aspects of pharmacy services; that is flexible to adapt to changing needs and has an effective grievance redressal mechanism and for matters connected therewith or incidental thereto.	
	BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows: —	
	CHAPTER I PRELIMINARY	
	1. (1) This Act may be called the National Pharmacy Commission Act, 2023. (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	Short title and commencement.

	shall be construed as a reference to the coming into force of that provision.	
	2. In this Act, unless the context otherwise requires,—	Definitions.
	a. “ Board” means any of the Boards constituted under section 11;	
	b. “Chairperson ” means the Chairperson of the National Pharmacy Commission appointed under section 4;	
	c. “Commission” means the National Pharmacy Commission constituted under section 3;	
	d. “Council” means the Pharmacy Advisory Council constituted under section 34;	
	e. “Member” means a Member of the Commission appointed under section 5 and includes the Chairperson thereof ;	
	f. “President” means the President of Board appointed under section 5;	
	(g) “Fund” means the National Pharmacy Commission Fund referred to in section 38;	
	(h) “pharmacy institution” means a recognized institution which runs degree, diploma courses	
	(i) “National Register” means a National Pharmacy Register maintained by the Commission Ethics and Pharmacy Registration Board under section 25;	
	(j) “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;	
	(k) “ Pharmacy Assessment and Rating	

	Board ” means the Board constituted under clause (b) of sub-section (1) of section 11;	
	(l) “ Ethics and Pharmacy Registration Board ” means the Board constituted under clause (c) of sub-section (1) of section 11;	
	(m) “ Pharmacy education Board ” means the <del>Pharmaey</del> Education Board constituted under clause (a) of sub-section (1) of section 11;	
	(n) “pharmacy professional” means a pharmacist whose name figures in the National Register	
	(o) “prescribed” means prescribed by rules made under this Act;	
	p. “professional or ethical misconduct” includes any act of commission or omission as may be specified by regulations;	
	(q) “recognized pharmacy qualification” means a pharmacy qualification recognized under section 28 or section 29 or section 32, as the case may be;	
	(r) “regulations” means the regulations made by the Commission under section 52;	
	(s) “ State Chapter means the State Chapter constituted under section 23;	
	t. “State” includes Union territory and the expressions “State Government” and “State Pharmacy Commission”, in relation to a Union territory, shall respectively mean the “Central Government” and “Union Territory Pharmacy Commission”.	
	(u) “State Register” means the State Register for Pharmacy Professionals maintained by State Chapter under section 25;	
	(v) “University” shall have the same meaning as assigned to it in clause (f) of	

3 of 1956.	section 2 of the University Grants Commission Act, 1956 and includes an institution declared to be deemed University under section 3 of that Act.	
	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, <b>thirteen</b> <i>ex officio</i> Members and <b>fourteen</b> part-time Members as follows, namely: —  a. <b>The Chairperson</b> shall be a pharmacy academician and a registered pharmacist having outstanding ability, proven administrative capacity and integrity and possessing a postgraduate degree in pharmacy profession from any University with experience of not less than fifteen years in the field of pharmacy, out of which at least ten years shall be as a pharmacy leader in the area of pharmacy education, to be appointed by the Central Government.  b. The following persons shall be the <i>ex-officio</i> members, namely: - i. one representative of the Department of Health and Family Welfare, Ministry of Health and	Composition of National Pharmacy Commission.

Family Welfare, not below the rank of Joint Secretary to the Government of India who is in charge of pharmacy

- ii. Drug Controller General of India.
- iii. one person representing the National Medical Commission not below the rank of Joint Secretary to the Government of India
- iv. a representative of Department of Health and Research.
- v. a representative of Department of Pharmaceuticals (not below the rank of JS)
- vi. one pharmacy professional nominated by/representing AICTE
- vii. one person from pharmacy background nominated by UGC
- viii. President of each of the Boards constituted under section 11
- ix. three persons nominated by the Central Government as below: -
  - o Director of one of the NIPERs
  - o 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 company/organization/industry,
  - o one pharmacy professionals of eminence, 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 shall be as a pharmacy leader in the area of pharmacy education, to be nominated by the Central Government in such manner as may be prescribed

- c. The following persons shall be the part-time members, namely: -
- i. One person from each of the six zones, who shall be the Chairperson of the State Pharmacy Chapter on rotation in such manner as may be prescribed.
  - ii. six pharmacy members of eminence, one from each of the six zones, on 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

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;

- iii. one person representing charitable institutions engaged in education or services in the field of pharmacy and having such qualification and experience, to be appointed by the Central Government in such manner as may be prescribed.

	<p>iv. 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), (b) and (c) of section 4;</p> <p>(ii) the Secretary referred in sub-section (2) of section 8; and</p> <p>(iii) the President and Members of Boards referred in sub-sections (2), (3), (4) and (5) of section 12,</p> <p>on the recommendations of a <b>Search-cum-Selection Committee</b> consisting of —</p> <p>a. the Secretary, Ministry of Health and Family Welfare – Chairperson;</p> <p>b. three pharmacy experts 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;</p>	<p>Search-cum-Selection Committee for appointment of Chairperson and Members of Commission.</p>



	<p>and</p> <p>d. a Joint Secretary to the Government of India in-charge of pharmacy in the Ministry of Health and Family Welfare, to be the Member Secretary</p> <p>e. Secretary or his representative not below the rank of Joint Secretary to the Government of India from Department of Pharmaceuticals</p> <p>The tenure of the expert members as stated in point no.(b)&amp;(c) above shall be maximum period of two years and they will not be reappointed.</p>	
	<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.</p>	
	<p>(3) The Search-cum-Selection Committee shall recommend a panel of at least three names for each vacancy.</p>	
	<p>(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.</p>	
	<p>(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</p>	

	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) and (c) of section 4, shall hold office for a term not exceeding four years, as the Central 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 post or equivalent post. However, they shall be eligible for appointment to a higher post after a cooling-off period of at least 6 months.	Term of office and conditions of service of Chairperson and Members of Commission.
	(2) A person who has completed the age of sixty-five years on the date of application shall not be eligible for the post of Member (including Chairperson & Presidents of Boards) of the Commission.	
	(3) 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.	
	(4) Where a Member appointed to the Commission under sub-section (a), serial number (viii) and (ix) of sub-section (b) and serial number (iii) and (iv) 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.	
	(5) 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>(6) 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>(a) relinquish his/ her office by giving in writing to the Central Government a notice of not less than three months; or</p> <p>(b) be removed from his/ her office in accordance with the provisions of section 7:</p> <p>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>(7) 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>(8) 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> <p>a. has been adjudged an insolvent; or</p> <p>b. has been convicted of an offence which,</p>	<p>Removal of Chairperson or Member of Commission.</p>

	<p>in the opinion of the Central Government, involves moral turpitude; or</p> <p>c. has become physically or mentally incapable of acting as a Member; or</p> <p>d. is of unsound mind and stands so declared by a competent court; or</p> <p>e. has acquired such financial or other interest as is likely to affect prejudicially his/ her functions as a Member; or</p> <p>(f) has so misused his/ her position as to render his/ her continuance in office prejudicial to the public interest.</p>	
	(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 in accordance with the provisions of section 5.	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 11.	
	(5) The Secretary shall discharge such functions of the Commission and that of each of the Boards constituted under section 11, 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	

	<p>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.</p>	
	<p>(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 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 and in the event of equality of votes, the Chairperson, or in his/ her absence, the President of the Board nominated under subsection (2), shall have the casting vote.</p>	
	<p>(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.</p>	
	<p>(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.</p>	
	<p>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.</p>	<p>Powers and functions of Commission.</p>
	<p>(2) The Commission may make regulations for the purposes of performing the following functions, namely: –</p> <ul style="list-style-type: none"> <li>a. to frame policies and regulate standards for the governance of pharmacy education and training;</li> <li>b. to regulate pharmacy institutions, researches, professionals and associates;</li> <li>(c) to identify and regulate any other</li> </ul>	

category of pharmacy profession;

(d) 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;

(e) to provide standards for pharmacy faculty and clinical facility in teaching institutions;

(f) to provide for a uniform mechanism for admission into the pharmacy institutions at various levels.

*Explanation.* — 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;

(g) to provide for a mechanism, either through final year 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;

(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;

(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;

(j) to assess the pharmacy requirements

in health care, including human resources for various healthcare settings, provide mechanisms for career development pathways for all pharmacy related cadres including appropriate lateral entry as applicable and advise the Central Government on matters pertaining thereto;

(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;

(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 Chapters;

(m) to ensure coordination among the Boards;

(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 Chapters for their effective functioning;

(o) to exercise appellate jurisdiction with respect to the decisions of Boards; and

(p) to perform such other functions as may be prescribed.



	<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>	
	<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.</p>	
	<p>(5) Every order and decision of the Commission shall be authenticated by the signature of its Secretary.</p>	

	(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 BOARDS	
	11. (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: –  a. the Pharmacy Education Board; (b) the Pharmacy Assessment and Rating Board; and (c) 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.	
	12. (1) Each of the three Boards, The Pharmacy Education Board, The Pharmacy Assessment and Rating Board and the Pharmacy Ethics and Registration Board, shall have not more than two whole time Members and not more than two part-time Members other than a President.	Composition of Boards
	(2) The President of each Board, two whole-time Members and one part-time Member of Pharmacy Education Board, and one whole-time Member and one part-time Member of Pharmacy Assessment and Rating Board and Pharmacy Ethics and Registration Board, shall be persons of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in any	

	<p>discipline of pharmacy from any recognised University in India and having Pharmacy academic experience of not less than fifteen years, out of which at least seven years shall be as a pharmacy leader to be appointed by the Central Government on the recommendations of the Search-cum-Selection Committee constituted under section 5.</p>	
	<p>(3) The second 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>(4) The second 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 the Head of a Department or the Head of an Institute or an organisation.</p>	
	<p>(5) The second part-time Member of the Pharmacy Assessment and Rating Board, the Pharmacy Ethics and Registration Board and the Pharmacy Education Board, shall be appointed by the Central Government on the</p>	

	<p>recommendations of the Search-cum-Selection Committee constituted from amongst the pharmacy Members representing the State Chapters under Section 23(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>13. (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. They shall be, however, eligible to be considered for the post of Chairperson of the Commission after a cooling off period of six months. 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 style="padding-left: 40px;">Provided further that a Member should be less than sixty-five years of age on the date of application for the office of Member.</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.</p>	
	<p>(4) Every part-time Member of Board shall be entitled for such allowances as may be prescribed.</p>	
	<p>(5) The provisions of sub-sections (4), (5), (6), (7) and (8) 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.</p>	
	<p>14. (1) Each Board, except the Pharmacy</p>	<p>Advisory</p>

	<p>Ethics and Registration 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 Board.</p>	<p>committees of experts.</p>
	<p>(2) The Pharmacy Ethics and Registration Board shall be assisted by such ethics committees of experts as may be constituted by the Commission for the efficient discharge of the functions of such Board .</p>	
	<p>15. (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.</p>	<p>Staff of Boards.</p>
	<p>(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.</p>	
	<p>16. (1) Every Board shall meet at least once in a 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.</p>	<p>Meetings, etc., of Boards.</p>
	<p>(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.</p>	
	<p>(3) Subject to the provisions of section 21, 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.</p>	

	<p>17. (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.</p>	<p>Powers of Boards and delegation of powers.</p>
	<p>(2) The President of Board may further delegate any of his/ her powers to a Member of such Board.</p>	
	<p>18. (1) The Pharmacy Education Board shall perform the following functions, namely: –</p> <ul style="list-style-type: none"> <li>a. determine the minimum requirements and standards of pharmacy education and examination at undergraduate level and postgraduate level, in such manner as may be specified by regulations, and oversee all aspects relating thereto;</li> <li>b. develop dynamic competency based curriculum at 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"> <li>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;</li> </ul> </li> <li>c. prescribe qualifications at the undergraduate level and postgraduate level in pharmacy and such other particulars, as may be specified by regulations;</li> <li>d. prescribe standards for setting up of pharmacy institutions for imparting 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;</li> <li>e. determine the standards and norms for infrastructure, faculty and quality of education in pharmacy institutions providing undergraduate and</li> </ul>	<p>Powers and functions of Pharmacy Education Board.</p>

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 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 Chapters, the Commission and the Central Government;
- 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, in such manner as may be specified by regulations; and
  - (i) regulate, in consultation with the Commission, the limited prescribing authority for pharmacy practitioners in all specialities, who have obtained the requisite pharmacy qualification and qualify such criteria as may be provided by the Pharmacy education Board , in such manner as may be specified by regulations.

	<p>(2) The Pharmacy Education 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>19. (1) The Pharmacy Assessment and Rating Board shall perform the following functions, namely: –</p> <ul style="list-style-type: none"> <li>a. the procedure for assessing and rating the pharmacy institutions for their compliance with the standards laid down by the Pharmacy Education Board, shall be such as may be specified by regulations;</li> <li>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 21;</li> <li>c. conduct inspections of pharmacy institution for assessing and rating such institutions in such manner as may be specified by regulations:</li> </ul> <p style="padding-left: 40px;">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 style="padding-left: 40px;">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 style="padding-left: 40px;">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;</p>	<p>Powers and functions of Pharmacy Assessment and Rating Board.</p>



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 Pharmacy Education Board, 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 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 before recommending to the Commission for withdrawal of recognition of a pharmacy institution that

	<p>fails to maintain the minimum essential standards specified by the Pharmacy Education Board.</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>20. (1) The Pharmacy Ethics and Registration Board shall perform the following functions, namely: –</p> <ul style="list-style-type: none"> <li>a. maintain the National Register for all registered professionals in accordance with the provisions of section 25;</li> <li>b. approve or reject applications for registration of professionals governed under this Act;</li> <li>c. regulate professional conduct and promote pharmacy ethics in such manner as may be specified by regulations: <ul style="list-style-type: none"> <li>Provided that the Pharmacy Ethics and Registration Board shall ensure compliance of the code of professional and ethical conduct through the State Chapter in a case where such State Chapter has been conferred power to take disciplinary action in respect of professional or ethical misconduct by pharmacy professionals under this Act;</li> </ul> </li> <li>d. develop mechanisms to have continuous interaction with State Chapters to effectively promote and regulate the conduct of pharmacy professionals;</li> </ul>	<p>Powers and functions of Pharmacy Ethics and Registration Board.</p>

	<p>e. exercise appellate jurisdiction with respect to the actions taken by a State Chapter under section 24; and</p> <p>f. provide for mechanisms for receiving complaints and grievance redressal.</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>21. (1) No person shall establish a new pharmacy institution, or introduce any new Pharmacy course, or increase number of seats, without obtaining prior permission of the Pharmacy Assessment and Rating Board:</p> <p>Provided that the Pharmacy Assessment and Rating Board shall consult the Pharmacy Education Board before according or refusing to accord such permission. Such consultation must necessarily be in writing and the Pharmacy Assessment and Rating Board must issue a speaking order while deciding on such matters.</p> <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 21.</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 22, 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</p>	

	<p>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>22. The Pharmacy Assessment and Rating Board or, as the case may be, the Commission, shall, while approving or disapproving a proposal under section 21, take into consideration the following criteria, namely: —</p> <ul style="list-style-type: none"> <li>a. adequacy of financial resources;</li> <li>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;</li> <li>c. whether adequate hospital facilities have been provided or will be provided within the time-limit specified in the proposal; and</li> <li>d. such other factors as may be specified by regulations:</li> </ul> <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 a proposal.</p>
	<p>CHAPTER IV</p> <p><b>STATE PHARMACY CHAPTER</b></p>	
	<p>23. (1) Every State Government shall, within one year from the commencement of this Act, by notification, constitute a State Pharmacy Chapter, where no such State Chapter exists in that State by a State Law, for exercising such powers and discharging such duties as may be laid down under this Act.</p>	<p>Constitution and composition of State Pharmacy Chapter.</p>
	<p>(2) The State Pharmacy Chapter 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>	

(3) The State Chapter shall have a Chairperson, **four** *ex officio* Members and **three** part-time Members as follows, namely: —consist of the following Members, namely: -

(a) The **Chairperson** shall be a person of outstanding ability, proven administrative capacity and integrity, possessing a postgraduate degree in pharmacy from any University and having experience of not less than fifteen

years in the field of pharmacy education, out of which at least seven years shall be as a leader in the area of pharmacy education, to be nominated by the State Government;

(b) The following persons shall be the **ex-officio members**, namely: -

- i. one Director or Additional Director or Joint Director representing pharmacy in the Health Department of the State Government:

Provided that if no such position exists in a State, the in-charge for pharmacy education and services may be appointed as such Member;

- ii. three persons nominated by the State Government as below: -
  - a. one person not below the rank of Dean or Head of the Department from any pharmacy college or institute of the State Government
  - b. one pharmacy professional 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,
  - c. one pharmacy professionals of eminence, 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

	<p>seven years shall be as a pharmacy leader in the area of pharmacy education</p> <p>iii. The following persons shall be the <b>part-time members</b>, namely: -</p> <ul style="list-style-type: none"> <li>a. two persons of eminence from the pharmacy profession having such qualifications and experience as may be prescribed by the State Government, to be nominated by the State Government;</li> <li>b. one person from pharmacy representing charitable institutions engaged in education or services in connection with pharmacy having such qualifications and experience as may be prescribed by the State Government, to be nominated by the State Government.</li> </ul>	
	<p>(4) The Chairperson, and Members of the State Chapter referred to in clauses iii (a) and iii (b) of sub-section (3)(b), 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>24. (1) The State Chapter 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 Chapter.</p>
	<p>(2) The State Chapter may, for the purposes of performing its functions, —</p> <ul style="list-style-type: none"> <li>a. enforce the professional conduct, code of ethics and etiquette to be observed by the pharmacy professionals including associates in the State and take disciplinary action including the removal of name of a professional from the State Register;</li> <li>b. ensure compliance to standards of education, courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions,</li> </ul>	

	<p>assessment, examination, training, research, continuing professional education as provided by the Boards;</p> <ul style="list-style-type: none"> <li>c. maintain the State Registers for registered professionals;</li> <li>d. issue certification of specialisation or other forms of certification to those who practice the profession of pharmacy;</li> <li>e. conduct common counselling for admission to pharmacy courses regulated under this Act; if no other specialised agency has been assigned the responsibilities by the State government.</li> <li>f. ensure compliance of all the directives issued by the Commission;</li> <li>g. meet with Principals of all colleges of pharmacy in the State at least once in every quarter to identify and resolve issues; and</li> <li>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.</li> </ul>	
	<p>(3) Where a State Act confers power upon the State Chapter to take disciplinary action in respect of any professional or ethical misconduct by a registered professional, the State Chapter 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 Chapter 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 Chapter, as the case may be, shall give an opportunity of hearing to the registered professional</p>	



	concerned before taking any action, including imposition of any monetary penalty against such person.	
	(4) A registered professional or any person, who is aggrieved by any action taken by a State Chapter 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 State Chapter, unless a second appeal is preferred under sub-section (5).	
	(5) A registered professional or any person, 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 fifteen 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.	
	CHAPTER V REGISTRATION	
	25. (1) The Pharmacy Ethics and Registration Board shall maintain an online and live National Pharmacy Register (NPR) containing the name, address, all recognised qualifications possessed by a pharmacy professional and such other particulars as may be specified by regulations.	National Register and State Register.
	(2) The Pharmacy Ethics and Registration Board shall maintain the National Pharmacy Register 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 Pharmacy Register 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.	
1 of 1872.	(4) The National Pharmacy Register shall be a public document within the meaning of section 74 of the Indian Evidence Act, 1872.	
	(5) The Pharmacy Ethics and Registration Board shall make available the National Pharmacy Register 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 Chapter shall maintain and regularly update, in digital form, the State Pharmacy Professional Register and the State Pharmacy Register in the specified digital format and supply a digital and physical copy of the same to the Pharmacy Ethics and Registration Board/Commission within three months of the commencement of this Act.	
	(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.	
	26.(1) Any person having a recognised pharmacy qualification shall have his/ her name and qualifications enrolled in the National Register or the State Pharmacy Professional Register, as the case may be, and shall be granted a license to practice in such manner and following such procedures, as may be specified by regulations:  Provided that a person, who has been registered in the Pharmacy Register maintained	Rights of persons to have license to practise and to be enrolled in National Register or State Pharmacy Professional Register and their obligations

48 of 1947.	under the Pharmacy Act, 1948 prior to the coming into force of this Act, shall be deemed to have been registered under this Act and be enrolled in the National Register or the State Pharmacy Professional Register, as the case may be, maintained under this Act.	thereto.
	(2) A citizen of India, who has obtained a pharmacy qualification recognised under section 29 or section 32 from a pharmacy institution established in a country outside India, 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, B Pharm and Pharm D, diploma or other qualification for proficiency in pharmacy sciences or public health pharmacy, which is a recognised pharmacy qualification under section 28 or section 29, 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.	
1 of 1872.	<p>27. (1) No person, other than a person who is enrolled in the National Register or State Register, shall—</p> <ul style="list-style-type: none"> <li>a. be allowed to practice pharmacy as a qualified pharmacy professional;</li> <li>b. be entitled to give evidence at any inquest or in any court of law as an expert under section 42 of the Indian Evidence Act, 1872 on any matter relating to pharmacy:</li> </ul> <p>Provided that a foreign citizen who is enrolled in his/ her country as a pharmacy</p>	Bar to practice.

	<p>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>	
	<p>(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>	
	<p>CHAPTER VI RECOGNITION OF PHARMACY QUALIFICATIONS</p>	
	<p>28. (1) Every pharmacy qualification granted by any University or pharmacy institution in India shall be listed and maintained by the Pharmacy Education Board 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 may apply to that Board /Commission for granting recognition to such qualification.</p>	
	<p>(3) The Pharmacy Education Board shall</p>	

	<p>examine the application for grant of recognition to an 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 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</p>	

	in such manner as may be specified by regulations.	
	(8) If any authority within a State, being recognised by the State Government in consultation with the State Chapter 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 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.	
	29.(1) Where an authority in any country outside India, which by the law of that country is entrusted with the recognition of pharmacy qualifications in that country, makes an application to the Commission for granting recognition to such pharmacy qualification in India, the Commission may, subject to such verification as it may deem necessary, either grant or refuse to grant recognition to that pharmacy qualification:  Provided that the Commission shall give a reasonable opportunity of being heard to such authority before refusing to grant such recognition.	Recognition of pharmacy qualifications granted by pharmacy institutions outside India.

	<p>(2) The pharmacy qualification, which is granted recognition by the Commission under sub-section (1), shall be a recognised pharmacy qualification for the purposes of this Act, and such qualification shall be listed and maintained by the Commission in such manner as may be specified by regulations:</p> <p style="padding-left: 40px;">Provided that practice by a person possessing such qualification shall be permitted in such manner as may be specified by regulations.</p>	
	<p>(3) Where the Commission refuses to grant recognition to the pharmacy qualification under sub-section (1), the authority concerned may prefer an appeal to the Central Government against such decision within a period of thirty days of communication thereof and the Central Government shall dispose of the appeal within a period of forty five days from the date of such appeal.</p>	
	<p>(4) The mutual recognition of the qualifications for reciprocal registration of pharmacy professionals between two countries shall be done in such manner as may be specified by regulations.</p>	
	<p>30. (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.</p>	<p>Recognition of pharmacy qualifications granted by statutory or other body in India.</p>
	<p>(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.</p>	

	<p>31 .(1) Where, upon receiving the recommendations or report from the Pharmacy Assessment and Rating Board under section 19, or from a State Chapter or a 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; 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 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>Withdrawal of recognition granted to pharmacy qualification granted by pharmacy institutions in India.</p>
	<p>(2) The Commission shall, after making such further inquiry 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 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>32. Where the Commission deems it necessary,</p>	<p>Special provision</p>



	<p>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 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>in certain cases for recognition of pharmacy qualifications.</p>
	<p>33. 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 VII PHARMACY ADVISORY COUNCIL</p>	
	<p>34. (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 AYUSH -</p>	

**Member, ex officio;**

(c) Presidents of the three Boards –  
**Members, ex officio;**

(d) Secretary of the Commission –  
**Member, ex officio;**

(e) one person to represent each State and each Union territory who shall be a Head of the institution/Vice Chancellor (or dean) of a pharmacy institution in that State or Union territory, as the case may be, to be nominated by that State Government or by the Ministry of Home Affairs, Government of India in the case of Union territory – **Part-time Member;**

(f) the Chairperson, University Grants Commission/Higher Education Commission of India (after its constitution and by the name then finalized for this Commission) –  
**Member, ex officio;**

(g) the Director, National Assessment and Accreditation Council – **Member, ex officio;**

(h) one representative from Indian Council of Medical Research not below the rank of Additional Director General – **Member, ex officio;**

(i) two Directors, to represent the Indian Institute of Technology, the Indian Institute of Management and the Indian Institute of Science and one Director to represent the NIPER (other than the ex-officio member in the Commission) to be nominated by the Central Government – **Members, ex officio;**

(j) Head of any of the national level professional pharmacy associations, to be nominated by the Central Government –  
**Part-time member.**

(3) The Members nominated under clauses (e) and (j) 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.	
	35. (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.	Functions of Pharmacy Advisory Council.
	(2) The Advisory Council shall advise the Commission on measures to determine and maintain, and to co-ordinate 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.	
	36. (1) The Advisory Council shall meet at least twice a year at such time and place as may be decided by its Chairperson.	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 VIII GRANTS, AUDIT AND ACCOUNTS	

	37. 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.
	38. (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 Boards and the administrative expenses including the salaries and allowances payable to the officers and other employees of the Commission and Boards;  (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.	
	39. (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	

	<p>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.</p>	
	<p>(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.</p>	
	<p>(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.</p>	
	<p>40. (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 the jurisdiction of the Commission, as the Central Government may, from time to time, require.</p>	<p>Furnishing of returns and reports to Central Government.</p>

	(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 IX MISCELLANEOUS	
	41. (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.	
	42. 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
	43. The Commission may give such directions, as it may deem necessary, to a State Chapter for carrying out all or any of the provisions of this Act and the State Chapter shall comply with	Power of Commission to give directions to State Chapters

	such directions.	
	44. (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).	
	45. 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 required by the Commission or the Board, as the case may be.	Obligation of Universities and pharmacy institutions.
	46. (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.	

	<p>47. The Chairperson, Members, officers and other employees of the Commission and State Chapters, 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 21 of the Indian Penal Code.</p>	<p>Chairperson, Members, officers of Commission and of Boards to be public servants.</p>
	<p>48. No suit, prosecution or other legal proceeding shall lie against the Government, the Commission or any Board or a State Chapter 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.</p>	<p>Protection of action taken in good faith.</p>
	<p>49. 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 Chapter, as the case may be.</p>	<p>Cognizance of offences.</p>
	<p>50. (1) If, at any time, the Central Government is of the opinion that —</p> <p style="padding-left: 40px;">(a) the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or</p> <p style="padding-left: 40px;">(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>Power of Central Government to supersede Commission.</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>C Provided that in case of a member who</p>	

	<p>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 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>51. (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 clause (q) of section 2;</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 (ix) 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>	

(d) the salary and allowances payable to, and other terms and conditions of service of the Chairperson and Members under sub-section (5) of section 6;

(e) the form and manner of making declaration under sub-section (7) of section 6;

(f) the qualifications and experience to be possessed by the Secretary of the Commission under sub-section (2) of section 8;

(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;

(h) the other functions of the Commission under clause (o) of sub-section (2) of section 10;

(i) the manner of filling up of vacancies of each Board under sub-section (2) of section 13;

(j) 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 13;

(k) the form for preparing annual statement of accounts under sub-section (1) of section 39;

(l) 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 40;

(m) the form and the time for preparing annual report under sub-section (2) of section 40;

(n) 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 56; and

	<p>(o) any other matter in respect of which provision is to be made by rules for carrying out the purposes of this Act.</p>	
	<p>52. (1) The Commission may, subject to the condition of previous publication, make regulations consistent with this Act and the rules made thereunder to carry out the provisions of this Act.</p>	<p>Power to make regulations.</p>
	<p>(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>	
	<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</p>	

functions by the Commission under sub-section (2) of section 10;

(g) 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 15;

(h) the manner of determining the minimum requirements and standards of pharmacy education and examination at undergraduate level and postgraduate level under clause (a) of sub-section (1) of section 18;

(i) the manner of developing dynamic competency based curriculum at undergraduate level and postgraduate level under clause (b) of sub-section (1) of section 18;

(j) prescribing qualifications at the undergraduate level and postgraduate level in pharmacy and such other particulars under clause (c) of sub-section (1) of section 18;

(k) the standards for setting up of pharmacy institutions for imparting 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 18;

(l) the manner of determining the standards and norms for infrastructure, faculty and quality of education in pharmacy institutions providing undergraduate and postgraduate pharmacy education under clause (e) of sub-section (1) of section 18;

(m) 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 under clause (h), and the manner of regulating the limited prescribing authority in consultation with the Commission under

serial number (i), of sub-section (1) of section 18;

(n) 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 19;

(o) the manner of carrying out inspections of pharmacy institution for assessing and rating such institutions under clause (c) of sub-section (1) of section 19;

(p) 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 19;

(q) 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 19;

(r) 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 under clause (f) of sub-section (1) of section 19;

(s) the manner of regulating professional conduct and promoting pharmacy ethics under clause (c) of sub-section (1) of section 20;

(t) 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 21, under sub-section (2) of the said section;

(u) the manner of preferring appeal to the Commission under sub-section (5) of

section 21;

(v) 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 22, and the pharmacy institutions set up in such areas which are eligible for relaxation of the criteria under the said section;

(w) the manner of taking disciplinary actions by the State Chapter in respect of any professional or ethical misconduct by a registered professional under sub-section (3) of section 24;

(x) 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 24;

(y) the acts of commission or omission which would amount to professional or ethical misconduct under the *Explanation* to section 24;

(z) such other particulars to be specified in the online and live National Register maintained by the Pharmacy Ethics and Registration Board under sub-section (1) of section 25;

(za) the form and manner in which the National Register is to be maintained under sub-section (2) of section 25;

(zb) 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 25;

(zc) 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 25;

(zd) 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 Pharmacy Professional Register under sub-section (1) of section 26;

(ze) 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 26;

(zf) the manner of renewal of registration under sub-section (4) of section 26;

(zg) 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 27;

(zh) the manner of listing and maintaining pharmacy qualification granted by any University or pharmacy institution in India by the Pharmacy Education Board under sub-section (1) of section 28;

(zi) the manner of listing and maintaining pharmacy qualification granted by any University or pharmacy institution in India by the Pharmacy Education Board under sub-section (2) of section 28;

(zj) the manner of examining the application for grant of recognition to an 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 28;

(zk) 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 Pharmacy Act, 1948 under sub-section (7) of section 28;

(zl) the manner of listing and maintaining the pharmacy qualification, which is granted recognition by the Commission and the



manner of practice by a person possessing such qualification under sub-section (2) of section 29;

(zm) the manner of mutual recognition of the qualifications for reciprocal registration of pharmacy professionals between two countries under sub-section (4) of section 29;

(zn) the manner of examining the equivalence in terms of curriculum, practical training and number of years of course under the first proviso to section 32;

(zo) the manner in which a person possessing necessary qualification shall be permitted to practice under the second proviso to section 32;

(zp) the procedure to be followed at the meetings of Pharmacy Advisory Council under sub-section (3) of section 36; and

(zq) any other matter in respect of which provision is to be made by regulations for carrying out the purposes of this Act.

	53. (1) The State Government may, by notification, make rules for carrying out the provisions of section 23 and sub-section (9) of section 28.	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 Chapter under clauses (a) and (b) of sub-section (3) of section 23.	
	(3) Every rule made under this section shall, as soon as may be, after it is made, be laid before the State Legislature.	
	54. 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.	Laying of rules, regulations and notifications before Parliament.
	55. (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:	Power to remove difficulties.

	<p>Provided that no order shall be made under this section after the expiry of a period of two years from the commencement of this Act.</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>	
8 of 1948.	<p>56.(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 sub-section (1) of section 3 of the said Act shall stand dissolved.</p>	<p>Repeal and saving.</p>
	<p>(2) Notwithstanding the repeal of the Act referred to in sub-section (1), it shall not affect,</p> <p>—</p> <p>(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or</p> <p>(b) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or</p> <p>(c) any penalty incurred in respect of any contravention under the Act so repealed; or</p> <p>(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.</p>	
	<p>(3) On the dissolution of the Pharmacy Council of India, the person (elected/nominated) appointed as the President and every other person appointed as the Member of the Pharmacy Council of India shall vacate their respective offices and such President and other Members shall be entitled to claim compensation, fees and allowances for the premature termination of term of their office for</p>	

	a period not exceeding ninety days.	
	(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 six months after the enactment 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.	
	57. (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.	<p>(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:</p> <p>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.</p>	
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