

Manipur



Gazette

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GOVERNMENT OF MANIPUR
SECRETARIAT : HEALTH DEPARTMENT

NOTIFICATION

Imphal, the 26th March, 2003

No. 86/1/75-M.— In exercise of powers conferred by Section 46 of the Pharmacy Act, 1948 (Act No. 8 of 1948), the Governor of Manipur is pleased to notify the following Manipur State Pharmacy Council Rules, 2003.

By order & in the name of the Governor,

P. BHARAT SINGH,
Commissioner (Health), Government of Manipur.

THE MANIPUR STATE PHARMACY COUNCIL RULES, 2003

Short Title,
Extent and
Commence-
ment.

1. (1) These Rules may be called the Manipur State Pharmacy Council Rules, 2003.

(2) They extend to the whole of the State of Manipur.

(3) They shall come into force on and from the date of their publication in the official Gazette.

Definitions.

2. In these rules, unless the context otherwise requires :—

(a) "Act" means the Pharmacy Act, 1948;

- (b) "Council" means the State Pharmacy Council constituted under Section 19 of the Act;
- (c) "Form" means form appended to these rules;
- (d) "Infamous conduct" means violation of the code of ethics prescribed under these rule;
- (e) "Ministerial staff" means the officers and officials appointed by the Council under clause (b) of section 26 of the Act;
- (f) "President" means the President of the Council;
- (g) "Registrar" means the Registrar of the Council;
- (h) "State Government" means the State Government of Manipur;
- (i) "Treasurer" means the treasurer of the Council;
- (j) "Vice-President" means the Vice-President of the Council;
- (k) The words and expressions used in these rules and not defined but defined in the Act, shall have the same meaning as in the Act,

Office of the
Council.

3. The office of the Council shall be situated at Imphal at the Medical Directorate, Manipur.

PART-II MODE OF ELECTION

President to
inform the
State Govern-
ment regarding
vacancy of
nominated
members.

4. In the case of vacancy of nominated members the president shall inform the State Government requesting it to fill the same.

Returning
officer.

5. (1) In the case of the first election under clause (a) of section 19 of the Act, the Registrar of the Registration Tribunal shall act as the Returning officer. In another subsequent elections, the President or any other person authorised by him in this

behalf shall be the Returning Officer and such returning officer shall some time not less than forty two days, nor more than sixty days before the days on which the term of office of such member will expire and as soon as conveniently may be after the occurrence of any vacancy arising from death or in any manner as set forth in section 25 of the Act issue his precept to the electorate concerned and shall publish in the official Gazette notice inviting in Form "A" the submissions of nominations.

(2) The Council shall appoint and shall notify in the official Gazette and in such other manner as it thinks fit such suitable date for each of the following namely :—

- (a) last nomination day,
- (b) scrutiny of nominations papers day,
- (c) the last day for receiving voting papers and the day for counting of the votes,
- (d) the sending of voting papers under sub-rule 11 of rule 6.

(3) The last day for nomination shall be at least 40 days before the day fixed for the counting of votes. The day for scrutiny of nominations shall be the third day from the last day for nomination counting the last day for nomination as the first day for the purpose.

**Manners of
holding
Elections.**

(6) The following shall be the procedures for filling up vacancies by the electorates :—

- (1) the electoral roll shall be prepared by the Registrar from the Register and shall contain the name, qualifications and address of every person qualified to vote for the election of a member to fill up the vacancy or vacancies.
- (2) Copies of the electoral roll shall be made available for sale, at a price not exceeding Rs.... to be fixed by the President.
- (3) (a) Candidate qualified for election must be proposed and seconded by persons qualified as electors. The nomination paper should be in Form "B". No elector shall propose or second the nomination of more persons than are required to

fill up the vacancy or vacancies and if more nominations than are required to fill up the vacancy or vacancies are subscribed by the same elector, then all nominations subscribed by him shall be held to void.

- (b) A person registered as Pharmacist under clause (b) and (d) of section 31 of the Pharmacy Act, 1948, shall not be eligible for election or will not have any power to exercise their franchise.
- (4) The candidates shall sign the nomination paper declaring that he is willing to serve the Council, if elected, failing which the nomination paper shall be invalid.
- (5) Every candidate shall, along with the proposal for nomination, deposit with the Returning officer a sum of Rs. — — — in cash and he shall not be deemed to be duly nominated unless the said deposit has been made. The deposit shall be forfeited to the Council if the candidate is not elected and the number of votes recorded in his favour is less than one-eighth of the total number of votes recorded. The said deposit shall be returned to the candidate if it is not forfeited under this sub-rule.
- (6) Every proposal for nomination must be in writing and must be signed by the proposer and the seconder, and sent by post or otherwise, so as to reach the Returning Officer not less than thirty days before such date as may be appointed by the Council in this behalf.
- (7) Returning officer shall commence scrutiny on the day fixed for the scrutiny of nomination papers received by him at a place appointed by the President on that day at 12 o'clock in the Noon. Any candidate may be present either in person or by an accredited representative at the time of such scrutiny. On completion of the scrutiny of nominations and after the expiry of the period within which the candidature may be withdrawn under sub-rule (8), the Returning Officer shall forthwith declare the names of the candidates whose nominations papers are held valid by him.
- (8) Any candidate may withdraw his candidature by notice in writing signed by him upto 12 o'clock on the fifth day from the last day for nomination, counting that day

as the first day. Such notice shall not be valid, unless it is delivered to the Returning Officer, or sent to him by post or otherwise and received by the Returning Officer, before the time and the date appointed by the President for such purpose.

- (9) If in case of any election the number of candidates duly nominated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forthwith declare such candidate to be elected.
- (10) If more candidates than are necessary to fill up the vacancy or vacancies be nominated, the Returning Officer shall forthwith publish their names and addresses in the official Gazette and otherwise as the Council shall deem fit, and shall further cause their names to be entered in the voting papers in the forms as laid down in Form "C".
- (11) Twenty-one days before the date as may be appointed by the Council in this behalf, the Returning Officer shall send by post to each elector one such voting paper bearing the official mark of the Returning Officer and an identification envelope on which a declaration as per form "D" is printed and a bigger cover on which are printed on the left top corner the serial alphabetical number and the name and signature columns at the lower left corner and the address of the Returning Officer printed as under.

To

The Returning Office
 Manipur State Pharmacy Council Officer
 Imphal, Manipur.

- (12) An elector who has not received his voting paper and other connected papers sent by post or whose papers, before they are dispatched back to the Returning Officer have been inadvertently spoiled in such manner that it cannot be conveniently used or who has lost his paper, may, on his transmitting to the Returning

Officer a declaration to that effect signed by himself, required the Returning Officer to send him duplicate in place of those not received. Spoilt papers may be returned to the Returning Officer who shall cancel them on receipt. In every case when duplicate papers are issued, a record thereof shall be kept by the Returning Officer and a mark "Duplicate" shall be placed on the bigger cover, which will bear the same serial alphabetical number as was originally given to the elector. The voting papers issued in such cases shall also be marked "Duplicate".

- (13) Before the date appointed by the Council in this behalf every elector desirous of voting, shall send his voting paper to the Returning Officer, and the Returning Officer shall keep the same collected in sealed boxes. Provided that the voting papers which are not received by the Returning Officer before 12 Noon on the date appointed for counting of votes shall be rejected as also all those that do not conform to the rules.
- (14) The President, shall nominate as scrutinizer: such number of members of the Council not exceeding four as he thinks fit.
- (15) The Returning Officer shall attend for the purpose of counting the votes on such date and, at such time and place as may be appointed by the President in this behalf. Any candidate may be present in person.
- (16) When the counting of the votes have been completed the Returning Officer shall forthwith declare the candidate to whom the largest number of votes have been given to be elected and shall forthwith inform the successful candidate by letter of his being elected to the Council. If any candidate thus shown to be elected has withdrawn from the election, or refuses to accept election, then one of the remaining candidates to whom the next largest number of votes has been given shall be held to have been elected in the place of the withdrawing candidate and so on for as many of the remaining candidates as there may be vacancies caused in this way.

- (17) When an equality of votes is found to exist between any candidates, and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by a lot to be drawn by the Returning Officer and in such manner as the President or the person authorised by him in his behalf may determine.
- (18) Upon the completion of the counting and after the results has been declared by him, the Returning Officer shall seal up the voting papers and other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed.
- (19) The Returning Officer shall inform the President of the result of the election.
- (20) If any question arises as to the intention construction or the application of this rule or validity of any election the Council shall refer such question under section 24 of the Act to the State Government whose decision shall be final.
- (21) If any difficulty arises in holding the election and in carrying out the provisions of this rule, it shall be lawful for the President to take such action or pass such orders as it may appear to him necessary or expedient.

Election of
President and Vice-
President.

- 7. (1) The President and the Vice-President of the Council shall be elected at a meeting of the Council. Immediately before the election of the President, the member present shall elect a temporary Chairman by a ballot if necessary which ballot shall be taken by the Registrar. The meeting shall then proceed to the election of the President which shall be by ballot. It shall be competent for any member to nominate by ballot a member for the office of the President and the temporary Chairman shall announce the names of the members so nominated and arrange for a ballot. Every vote which shall be given at such a ballot for person

who has not been nominated shall be wholly void and ineffectual. Should only two persons be nominated the voting on the first ballot shall be final except in case of equality of votes. Provided that if one of the candidates secure more than fifty percent of the votes cast, he shall be declared elected. In the case of an equality of votes a further ballot shall be taken and if that be indecisive the election shall be decided by drawing lots.

- (2) The President having been elected will take the Chair and the members will proceed to elect a Vice-President, the procedure laid down in sub-rule (1) being followed except that in the case of equality of votes. The President shall have a casting vote in case of equality of votes.

Election of a member by the Medical Council of the State.

8. Election of a member by the Medical Council of the State under clause (c) of Section 19 of the Act, shall be conducted at a meeting of the Medical Council of the State in accordance with the regulations of the Medical Council of the State.

Publication of the notice of the election of a member etc.

9. On receipt of official notice of the election of a member, the President shall inform the State Government of the same for publication in the official Gazette. The notification of the election of a member shall be read by the President and he shall then be introduced to the meeting by some members of the Council. The above procedure shall be adopted also in the case of nominated members.

PART—III

MEETING OF THE COUNCIL

Notice of meeting.

10. (1) The President in his discretion may direct for issue of a shorter notice if he deems it expedient and in such cases the notice shall be sent by telegram or other more expeditious means, in every case the notice shall be sent to every member.
- (2) The President whenever it appears to him unnecessary to convene a meeting, may instead of so doing circulate a written proposition for the observation and votes for the members of the Council.

Calling of
meeting

11. The Council shall ordinarily meet twice preferably in February and September in a Calendar year on such date and place as may fixed by the President :—

- (i) may call a special meeting at any time on 15 days notice to deal with any urgent matter requiring the attention of the Council;
- (ii) may call a meeting on 15 days' notice, if he receives a requisition in writing signed by not less than 10 members and stating the purposes of the meeting other than that mentioned in clause(b) of sub-rule (1) of rule 16 and being a purpose within the scope of the Council's function, for which they desire the meeting to be called.

First meeting
of the
Council.

12. The first meeting of the Council held in any Calendar year shall be the annual meeting of the Council for that year.

Discussions
of other
business at
the special
meeting.

13. At the special meeting called by the President in his discretion under the proviso to rule 11(i) only subject or subjects for the consideration of which the meeting has been called shall be discussed, unless the Council by a resolution agree to consider such other business.

Service of
notice of
meeting.

14. Notice of every meeting other than a special meeting called under proviso to rule 11(i) or under the proviso to 16(1)(b) shall be dispatched by the Registrar to each member of the Council 30 days before the date of the meeting.

Supply of
Preliminary
Agenda, terms
of motion
and names of
the movers.

15. (1) The Registrar shall issue with the notice of the meeting of the preliminary Agenda paper showing the business to be brought before the meeting, the terms of all the motion to be moved for which notice in writing has previously reached him and the name of the moves.

(2) A member who wishes to move any motion not included in the Preliminary Agenda paper or an amendment to any item so included, shall give notice thereof to the Registrar not less than 25 clear days before the date fixed for the meeting.

(3) The Registrar shall, not less than 15 clear days before the date fixed for the meeting, that is, in case of a special meeting with the notice of the meeting issue a complete Agenda paper showing the business to be brought before the meeting.

(4) A member, who wishes to move an amendment to any item included in the complete Agenda paper but not included in the Preliminary Agenda, shall give notice thereof to the Secretary not less than 3 clear days before the date fixed for the meeting.

(5) The Registrar shall, if time permits, cause a list of all amendments of which notice has been given under sub-rule (4) to be made available for the use of every member :

Provided that nothing in this rule shall operate to prevent the performance of the Executive Committee of any matter to the Council at a meeting following immediately or too soon after the meeting of the Executive Committee to permit the notice required under this rule.

Motions to be
admitted.

(16) (1) A motion shall not be admissible.

- (a) if the matter to which it relates is not within the scope of the Council's functions;
- (b) if it raises substantially the same question as a motion or amendment which has been moved or withdrawn with the leave of the Council within one year from the date of the meeting at which it is designed to be moved;

Provided that such a motion may be admitted at a special meeting of the Council convened for the purpose on the requisition of not less than two-thirds of the members of the Council.

Provided further that nothing in these rules shall operate to prohibit the further discussions of any matter referred to the Council by the State Government in exercise of its functions under the Act.—

- (c) unless it is clearly and precisely expressed and raises substantially one definite issue;
- (d) if it contain inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is inadmissible under sub-rule (1):

Provided that if a motion can be rendered admissible by amendment the President may in lieu of disallowing the motion admit it in amended form.

(3) When the President disallows or amends a motion, the Registrar shall inform the member who gave notice of the motion of the order of disallowance or, as the case may be, of the form in which the motion has been admitted.

PART-IV

ORDER OF BUSINESS AT THE MEETING OF THE COUNCIL

Powers of the President Vice-President etc. presiding over the meeting.

17. (1) Every meeting of the Council shall be presided over by the President or if he is absent, by the Vice-President or if both the President and the Vice-President are absent by a Chairman to be elected by the members from among themselves.

(2) All references in this part to the President shall be read as referring to the person for the time being presiding over a meeting.

(3) Eight members of the Council of whom the President may be one, present in person shall constitute a quorum:

Provided that in the case of a meeting adjourned for want of quorum, no quorum shall be required.

Quorum.

18. If, at a time appointed for a meeting a quorum is not present on the expiration of 20 minutes from the time appointed for the meeting or during the course of any meeting shall stand adjourned to such future time and date as the President may appoint.

Every matter to be determined on a motion moved by a member

19. (1) Every matter to be determined by the Council shall be determined on a motion moved by a member and put to the Council by the President.

(2) Votes shall be taken by show of hands or by division or by ballot as the President may direct :

Provided that votes shall be taken by ballot if three members so desire and ask for it

Provided further that if voting has been by show of hand a division shall be taken if a member asks for it.

(3) The President shall determine the methods of taking the votes by division.

(4) The result of the vote shall be announced by the President and shall not be challenged.

(5) In the event of an equality of votes the President will have a second or a casting vote.

Decision of
the president
regarding
identical
motion.

20. When motions identical in purport stand in the names of two or more members the President shall decide whose motion shall be moved and the other motion or motions shall thereupon be deemed to be withdrawn.

21. (1) Every motion or amendment shall be seconded and if not seconded shall be deemed to have been withdrawn.

(2) When a motion has been seconded it shall be stated from the chair.

(3) When a motion has been stated, it may be discussed as a question to be resolved either in the affirmative or in negative or any other member may subject to rules 22 and 23 move an amendment to the motions :

Provided that the President shall not allow an amendment to be moved which if it has been a substantive motion would have been inadmissible under the rules.

Amendment
motion.

22. (1) An amendment must be relevant to and within the scope of the motion to which it is proposed.

(2) An amendment may not be moved which has merely the effect of a negative vote.

(3) The President may refuse to put an amendment which is in his opinion frivolous.

Motion to be amended. 23. A motion may be amended by :—

(a) The omission, insertion or addition of words, or

(b) The substitution of words for any of the original words.

Proposal to be made with reference to a motion or amendment under debate.

24. (1) When a motion or amendment is under debate no proposal with reference thereto shall be made other than,—

(a) an amendment of the motion as the case may be, as proposed in rule 21;

(b) a motion for the adjournment of the debate on the motion or amendment either to a specified date and hour or sine die :

- (c) a motion for the closure, namely a motion that the question be now put :
- (d) a motion that the Council instead of proceeding to deal with the motion do pass to the next item on the programme business :

Provided that no such motion or amendment shall be moved so as to interrupt a speech:

Provided further that no motion of the nature referred to in clauses (b), (c) and (d) shall be moved or seconded, by a member who has already spoken to the question before the meeting:

Provided also that a motion referred to in Clauses (c) and (d) shall be moved without speech.

(2) It shall be in the discretion of the President to put or refuse to put to the Council a proposal of the nature referred to in Clause (b) of sub-rule (1).

(3) Unless the President is of the opinion that a motion or closure is an abuse of the right of reasonable debate he shall forthwith put a motion that the question be now put and if that motion is carried the substantive motion or amendment under debate shall be put forthwith :

Provided that the President may allow the mover of the substantive motion to exercise his right of reply before the substantive motion under debate is put :

Provided further that it shall not interrupt a speech, a proposal to adjourn the Council to a specified date and hour may be made at any time, but it shall be in the discretion of the President to put or refuse to put such a proposal to the Council.

Motion or amendment move not to be withdrawn.

25. A motion or amendment which has been moved and seconded shall not be withdrawn save with the leave of the Council which shall not be deemed to be granted, if any member dissents from the granting of leave.

Speech of the motion by the mover & seconder.

26. When a motion has been moved and seconded, members other than the mover and the seconder may speak on the motion in such order as the President may direct:

Provided that the seconder of motion or an amendment may with the permission of the President confine himself to seconding the motion or amendment as the case may be and speak thereon at any subsequent stage of the debate.

Elucidation
of any point.

27. During the meeting, the President, may, at any time, make any objection, or suggestion or give information to elucidate any point to help the members in the discussion.

Mover of the
original mo-
tion entitled to
a final reply.

28. (1) The mover of an original motion and it permitted by the President, the mover of any amendment shall be entitled to right of final reply, no other member shall speak more than once to any debate except, with the permission of the President for the purposes of making a personal explanation or of putting a question to the member addressing the Council:

Provided that any member at any stage of the debate may rise to a point of order, but no speech shall be allowed on that point:

Provided further that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion.

(2) No member shall, save with the permission of the President, speak for more than five minutes:

Provided that the mover of the motion when moving the same may speak for ten minutes.

(3) A speech shall be strictly confined to the subject matter of the motion or amendment on which it is made.

(4) Any motion or amendment standing in the name of a member who is absent from the meeting or unwilling to move it may be brought toward by another member with the permission of the President.

Member of
making any
observation
on the matter
before the
Council.

29. (1) A member desiring to make any observations on the matter before the Council shall rise and speak to address the president.

(2) If any time the President rises, any member speaking shall immediately resume his seat.

Member to be heard upon the Business Decision of the President regarding taking of motion.

30. No member shall be heard except upon the business before the Council.

31. (1) When an amendment to any motion is moved and seconded or when two or more amendments are moved or seconded, the President shall before taking the sense of the Council thereon state or read to the Council the terms of the original motion and of the amendment or amendments proposed.

(2) An amendment to a motion shall be put to vote first.

(3) If there be more than one amendment to a motion the President shall decide in what order they shall be taken.

Decision of the President to divide the motion.

32. When any motion involving several points has been discussed it shall be in the discretion of the President to divide the motion and put each or any point separately to the vote as he may think fit.

Adjournment of meeting.

33. (1) The President, after stating reasons, may at any time adjourn any meeting to any future day or to any hour of the same day.

(2) Whenever a meeting is adjourned to a future day the Registrar shall if, possible send notice of the adjournment to every member who was not present at the meeting.

(3) When a meeting has been adjourned to a future day the President may change such day to any other day and the Registrar shall send written notice of the change to each member.

(4) At a meeting adjourned to a future day any motion standing over from the previous day shall unless the President otherwise directs take precedence of other matter on the Agenda.

(5) Either at the beginning of the meeting or after the conclusion of the debate on a particular item during the meeting the President or a member may suggest a change in the order of business on the Agenda, if the Council agreed such a change shall take place.

(6) No matter which had not been on the Agenda of the original meeting shall be discussed at a adjourned meeting.

(7) The same quorum shall be necessary for an adjourned meeting as for an ordinary meeting, except in the adjourned meeting as specified in the proviso to rule 17(3).

Decision of the President to be final.

34. (1) The President shall decide all points of order which may arise and his decision shall be final.

(2) If any question arises with reference to procedure in respect, of a matter for which these rules makes no provisions the President shall decide the same and his decision shall be final.

PART-V APPOINTMENT OF MEMBERS OF THE COUNCIL

Keeping of a book to record particulars of a member.

35. A book shall be kept, containing the names of the members of the Council, the Electorates they represent, the date of appointment of such members, the term for which he was appointed and the date of the death or retirement of such member, and such book should be regularly kept up so as to show the period at which each of the bodies that has the power to appoint should proceed to a new appointment and the same particulars shall be observed with regard to members appointed by the State Government.

Drawing of attention as to the vacancy due to expiration of the term.

36. Sixty days before the expiration of the term of any existing appointment the Registrar shall draw the attention of the President and of the Appointing Authority to the vacancy that will arise in order that such new appointment may be made to take effect from the day on which the corresponding old appointment will expire.

Drawing of attention to the vacancy due to resignation, death etc.

37. On the resignation, death, insolvency or lapse of appointment of any member of the Council under provisions of section 25 of the Act, the Registrar shall draw the attention of the President and of the Appointing Authority to the vacancy thus caused in order that the same may be filled up.

PART-VI MINUTES OF THE COUNCIL

Authentication of the minute by the President.

38. The proceedings of the meetings of the Council shall be preserved in the form of printed minutes which shall be authenticated after confirmation by the signature of the President.

Attested

minutes to be
sent to the
member.

39. A copy of the minutes of each meeting shall be submitted to the President within 15 days of the meeting and attested by him and they shall then be sent to each member within 30 days of the meeting.

Contents of
minutes.

40. The minutes of the meeting shall contain such motions and amendments as have been moved and adopted or negative with the names of the mover and the seconder, but without any record of observation made by any member at the meeting.

Placing of and
objection if
any, before
the meeting of
the Council.

41. If any objection regarding the corrections of the minute is received within 30 days of the dispatch of the minutes by the Registrar, such objections together with the minutes as recorded and attested shall be put before the next meeting of the Council for confirmation. At this meeting no question shall be raised except as to the correctness of the records of the meeting:

Provided that if no objections regarding a decision taken by the Council at a meeting is received within 30 days of the despatch by the Registrar of the minutes of the particulars meeting such decision may if expedient be put into effect before the confirmation of the minutes at the next meeting :

Provided further that the President may direct that action may be taken on a decision of the Council before the expiry of 30 days mentioned above.

Presentation
of the minutes.

42. The minutes of the Council shall as soon as practicable after their confirmation be made up in sheets and consecutively paged for insertion in volume which shall be permanently preserved. A copy of each volume shall be supplied free to each member of the Council.

Keeping of a
report of the
observations
and of the
discussions.

43. A report shall be kept of the observations and of the discussions at the meeting of the Council in as accurate a manner as possible for the use of the members of the Council. The detailed procedure of the proceedings of the meetings which shall be treated as "CONFIDENTIAL" and shall be kept in the office and shall be open for members for inspection. A copy of the proceedings in whole or in part shall be supplied to any member who may apply for it. Such copy shall be marked "CONFIDENTIAL" and be supplied on the payment

of a sum fixed by the President and not to exceed the cost of copying. No copy of proceeding held in camera shall be supplied but such proceedings can be inspected by the members.

PART-VII

TENURE OF OFFICE AND POWERS AND DUTIES OF THE PRESIDENT AND THE VICE-PRESIDENT

Power and duties.

44. The President shall exercise such powers and perform such duties as are contained in the provisions of the Act, the rules and the standing order of the Council. He shall do such acts as he considers necessary in the furtherance of the objects for which the Council is established.

Power and duties of the Vice-President.

45. If the office of the President is vacant or if the President for any reason is unable to exercise the powers or perform the duties of his office, the Vice-President will act in his place and shall exercise the powers and duties of the President.

PART-VIII

EXECUTIVE COMMITTEE

Executive Committee.

46. The Executive Committee shall consist of the President and Vice-President, Ex-officio and three members elected by ballot at the first meeting of the Council. Of the three members so elected there shall be at least two registered pharmacists. The Executive Committee so elected shall hold office till the election of the new Executive Committee.

Quorum.

48. For the meeting of the Executive Committee three members including the President and the Vice-President shall be a quorum.

Vacancy in the Executive Committee.

49. Should there occur during the recess any vacancy in the Executive Committee they shall be empowered to fill up such vacancy except in cases where a summon has been issued for a meeting of a Council when the Council shall itself elect.

Appointment of a person to perform duties of a Registrar temporarily.

50. In case of the death of a Registrar or his incapacity from his illness or on leave, when the Council is not in session the Executive Committee shall appoint a person to perform temporarily the duties of Registrar. The Executive Committee shall grant leave to the Registrar in accordance with the principles laid down in the Civil Service Regulations of the State.

PART-IX SUB-COMMITTEE

Constitution
of Sub-
Committee.

60. (1) The Council may constitute Sub-Committees and may appoint to such Sub-Committees, persons who are not members of the Council to report upon any matters, which it may deem necessary to refer to them.

(2) The members of the Sub-Committee appointed under sub-rule (1) shall not be entitled to any fee for attending any meeting of the Sub-Committee. They shall be entitled to travelling expenses only.

PART-X FEES FOR ATTENDING COUNCIL AND OTHER EXPENSES

Travelling
expenses.

61. For attendance on the Council, the Executive Committee or Sub-Committee etc., and the travelling expenses thereof the scale of fees shall be as set forth in the following rules.

Rate of
payment of
attendance on
the Council.

62. The rate of attendance of the Council shall be the same for all the members of the Council.

Fees for atten-
dance on the
Council.

63. The fees for attendance on the Council shall be not less than Rs. 100/- a day for each member attending.

Rate of
travelling
expenses.

64. The following expenses of members shall be paid as follows:

- (1) Officials should draw the travelling allowances which are entitled to claim according to their grades under the fundamental Rules of Civil Services Rules as the case may be.
- (2) Employees of the Council shall be entitled to travelling allowances at the same rate as admissible to servants of the State Government.

Fees for atten-
dance at the
meetings of the
Executive
Committee.

65. The fees for attending the meeting of the Executive Committee shall not be less than Rs. 150/- per day with the usual travelling expense under rule 61 :

- Keeping minutes of their proceedings. 51. The Executive Committee shall keep the minutes of their proceedings which shall be dealt with according to the same procedure as that indicated in Part-V of the Council.
- Publication of the Pharmacist register. 52. The Executive Committee shall superintend the publication of the Pharmacist register which shall be prepared by the Registrar who shall cause it to be printed after entering therein annual statement of the distribution of the copies of the Register to the State Government Officers as approved by the Government and the Pharmacy Council of India and to other as may be directed by the Executive Committee.
- Number of copies of the Pharmacist Register. 53. The Executive Committee shall order each year such number of copies of the Pharmacist Register to be printed as may seem to the Registrar to be required on a revision of the annual distribution list.
- Preparation of the report. 54. The Executive Committee shall consider and prepare reports upon any subject that may seem to require the attention of the Council and such reports shall be printed and circulated among the members of the Council ten days at least before the meeting of the Council.
- Preparation of Business in the meeting. 55. The Executive Committee shall, before each meeting of the Council prepare the business for the consideration of the Council.
- Printing of the volumes of minutes. 56. The printing of volumes of the minutes shall be under the direction of the Executive Committee.
- Petitions presented to the Council to be referred to the Executive Committee. 57. All the petitions presented to the Council shall be referred to the Executive Committee to be examined and reported upon before being considered by the Council.
- Petitions to be laid on the table of the Council. 58. Subject to the provisions of the proceeding rule, all petitions addressed to the Council immediately before or during the sessions of the Council shall be laid on the table.
- Reports to be prepared as may indicated by the Council. 59. The Executive Committee shall prepare reports on such subject as may be indicated to them by the Council at its sitting or by the President at other times. The reports when finally approved by the Committee shall be presented to the Council.

PART-XI PROSECUTION

Prosecution

66. If any information is received by the Registrar that an offence under the Pharmacy Act, 1948 has been committed, he shall, if there is a complaint, require such complainant to produce by means of a statutory declaration or otherwise, Prima Facie proof of the matters complained of.

Proceeding to be instituted by the Execu- tive Committee.

67. The Registrar shall thereon bring the matter before the Executive Committee, who if so empowered under the provisions of the Act may institute proceedings in the matter or may decide to recommend to the Government to take necessary action.

PART-XII THE REGISTRATION

Maintenance of a register of Pharma- cist.

68. The register of the Pharmacist shall be maintained as required by Sub-section (3) of section 29 of the Pharmacy Act, 1948 in Form E.

Manner of maintenance of the register.

69. The names shall be entered in the register in the order in which the application for registration are admitted and sufficient space shall be left for future additions and alterations in the qualification and address of each entry.

Verifications of the page of the register.

70. Each page of the register shall be verified by the Registrar's Signature.

Grant of certificate of registration.

71. (1) On the registration of every Pharmacist under the Act, the Registrar shall grant such Pharmacist a Certificate in Form F.

(2) In the event of a certificate issued under sub-rule (1) being lost or accidentally destroyed, the holder may at any time during which such certificate is in force apply to the Registrar under section 39 of the Pharmacy Act, 1948, for a fresh certificate and the Registrar, may if he thinks fit on satisfactory proof as to the identity of the applicant, grant such certificate on payment of a fee of Rs. 100/-. Certificates issued under this sub-rule shall be marked "DUPLICATE".

Manner of checking application for registration. 72. Every person entitled under section 32 to be registered under the Act and desiring to have himself registered shall apply to the Registrar in Form G duly filled and signed. Every such application shall be accompanied by the fee prescribed in rule 81,

Validation of registration. 73. (1) The name of every person registered under the act shall subject to the provisions contained in the Act as to the erasure of the entries and removal of names from the register remain entered therein and the registration of such person shall hold good till the 31st day of December of the year in which registration is made.

(2) Any person desiring to continue his registration shall submit to the Registrar an application shall submit to the Registrar an application before the first day of April of the year to which it relates and shall forward with such application the fee prescribed in that behalf in rule 81.

(3) The Registrar may send to any Pharmacist who has not paid his renewal fees on the 1st day of January in the year in respect of which such fee is payable, a demand for payment thereof, which demand shall be by a letter sent by post addressed to the Pharmacist at his address in the register.

(4) When a renewal fee is not paid before the due dates the Registrar shall remove the name of the defaulter from the Register. PROVIDED that a name so removed may be restored to the Register as per section 37 of the Act on payment of fee and Penalty as prescribed in rule 81.

Registration of an additional qualification. 74. (1) An application for registration of an additional qualification under section 35 of the Act shall be in Form 11 and shall be, accompanied by the fees prescribed in this behalf in rule 81.

(2) On registration of additional qualifications under sub-rule (1), the Registrar shall grant such Pharmacists a certificate in Form 1.

Certified copies of entries. 75. Certified copies of entries in the Register in Form I may be issued to person on payment of fee as per rule 81.

Fee of Registering change of name. 76. A fee as per rule 81 shall be levied for registering a change of name in the Pharmacists Register.

Erasure of
name from
Register.

77. (1) The Council may erase from the register the name of any person who :

- (a) has requested that his name be removed from the Register in which case such person may be required to file a declaration that no disciplinary or criminal proceedings are being or likely to be taken against him :

or

- (b) has failed within a period to be determined by the Council to furnish to the Registrar with such information as the Council may require.

(2) The Council may erase from the Register the name of any person whose name on or after the commencement of the Act has been removed from the roll, register or record of any University, Hospital, Society or other body from which he received the Degree, Diploma or Certificate in pursuance of holding where of he was registered and any registration, certificate issued to such person shall be deemed to be cancelled as from the date of such erasure.

The Registrar shall bring such application before the next meeting of the Council or Executive Committee who will consider the application and any objection thereto, and the President may put from the chain the question.

“ WHETHER THE REGISTRAR SHALL ERASE THE NAME (THE APPLICANT'S NAME) FROM THE PHARMACY REGISTER.”

Printing of
copies of the
Register.

78. The Registrar shall as soon as may be after the 1st day of April in each cause to printed copies of the registers as they stood on the said date and such copies shall be made available to persons applying therefore on payment of the prescribed charge and shall be evidence that on the said date the persons whose names are entered therein were registered pharmacists. The Registrar shall keep an inter-leaved copy of such printed list wherein he shall make during the year any entry, alternation or erasure that may be necessary.

Intimation
regarding
change of
address.

79. (1) It shall be the duty of every registered person who changes his address to intimate the fact to the Registrar within one month after such change.

(2) Every District Registrar of Deaths who received a death notice showing that the deceased belonged to profession or calling the members of which are registrable under the Act shall forth-with notify the Registrar of the Council of such death.

Enumeration of in the Printed Pharmacy Register. 80. There shall be made every year and entered, in the printed Pharmacy Register an enumeration of

- (1) The total number of persons in the published register;
- (2) The number of persons added to the Register;
- (3) The number restored to the Register;
- (4) The number erased from the Register stating the section of the Act under which the name has been erased; and
- (5) The number removed by death.

PART-XIII FEES

- Fees 81. The following fees are prescribed by the Council
1. For the first registration in Register Rs. 200/-
 2. For every qualification on status subsequently Registered Rs. 100/-
 3. For restoration to the Register after removal for non-payments of annual retention fee in addition to retention fee the year or years remained removed Rs. 200/-
 4. For annual retention/renewal Rs. 50/-
 5. For restoration to the baker under the section 37 of the Act Rs. 500/-
 6. For registration of a change in name Rs. 50/-
 7. For every certified copy of an entry in Register Rs. 100/-
 8. For a "DUPLICATE" certificate under rule 72 together with stamp duty leviable under the Indian Stamp Act, 1899 or any other law for the time being in force relating to the levy of the Stamp duty. Rs. 100/-

PART-XIV
PENAL REMOVALS FROM THE PHARMACY REGISTER

Penalties.

82. Every person registered under the Act who has been found after inquiry by the Executive Committee to have been guilty of improper conduct which when regard is had to such persons profession or calling is improper shall be liable to one of the following penalties:

- (a) caution of reprimand or a reprimand and caution;
- (b) suspension for a specified period from practising or performing acts pertaining to Pharmacy; or
- (c) crasure of his name from the Register.

Suspension of
person for
carrying his
professions of
practice of
Pharmacy.

83. If at any time is made to appear by affidavit that a person registered under this Act has become mentally or physically disabled to the extent that the continued practising of such person is contrary to the Public Welfare, the Executive Committee may hold inquiry into the facts submitted and order the suspension of such person for a specified period from carrying on his profession or Practice of Pharmacy.

Submission of
information to
the President
regarding
in-famous
conduct.

84. Whenever information reaches the office of the Council that a pharmacist has been convicted of a cognizable offence or has been under the censure of any judicial or other competent authority in relation to his professional character or has been guilty of conduct which prima facie constitutes infamous conduct in a professional respect, the Registrar shall make an abstract of information and shall submit the name to the President.

Complaint
against
Pharmacist.

85. Where the information question is in the nature of the complaint by a person or body charging the Pharmacist with infamous conduct in professional respect such complaint shall be made in writing addressed to the Registrar and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the facts of the cases.

Acceptance of
evidence.

86. Every declaration must state the description and true place of abode of the declarant and where fact stated in declaration is not within personal knowledge of the declarant the source of the information and grounds for belief of the declarant in its truth must be accurately and fully, stated. Declarations and parts of declarations which are made in contravention of this rule shall not be accepted as evidence.

Submission of
complaint and
other
document to
the President.

87. The abstract and where a complaint has been lodged, the complaint and all other documents bearing on the case shall be submitted by the Registrar to the President who shall if he thinks fit instruct the Registrar to ask the Pharmacist by means of a registered letter for any explanation he may have to offer. The documents including any explanation forwarded by the Pharmacist to the Registrar shall then be referred to the Executive Committee who shall consider the same and shall have the power to cause further investigation to be made and further evidence to be taken and to refer if necessary to a Lawyer for his advice and assistance and to instruct him to take the opinion of the Council and otherwise to obtain such advice and assistance as they shall think fit. If the Committee are of the opinion that a prima facie case is not made out, the case shall not proceed further and the Registrar shall inform the complainant of the resolution of the Committee. If the Committee resolve that the case is one in which an enquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the Executive Committee.

Enquiry
regarding
removal of
name from
the Register.

88. An enquiry with a view to the removal of a name from the register under section 36 of the Act shall be instituted by the issue of a notice in writing on behalf of the Executive Committee by the Registrar addressed to the Pharmacist. Such notice shall specify the nature and particulars of the charge and shall inform him of the day on which the Executive Committee intend to deal with the case and shall call upon the pharmacist to answer the charge in writing and to attend before the Executive Committee on such day. The notice shall be given in Form K with such variations as circumstances may require and shall be sent three weeks before the date of enquiry.

Supply of
document etc.
for the defence
of the parties.

89. In every case in which the Executive Committee resolve that an enquiry shall be made and a notice for an enquiry is issued accordingly, either party shall for the purpose of his defence or reply, as the case may be, and upon request in writing for that purpose signed by himself or his counsel be entitled to be supplied by the Registrar with a copy of any declaration, explanation or answer or other document given or sent to the Executive Committee by or on behalf of the other party which such other party shall be entitled on proper proof to use at the

hearing as evidence in support of or, in answer to the charge specified in the notice of enquiry and every notice of inquiry shall draw the particular attention of the pharmacist to this rule.

President to deal with the charge against the Pharmacist. 90. Any answer, evidence or statement forwarded or application made by the pharmacist between the date of the issue of the notice and the day named for the hearing of the charge shall be dealt with by the President in such manner as he under legal advice shall think fit.

Printed material documents to be furnished to the Council. 91. All materials/documents which are to be laid before the Executive Committee as evidence in regard to the case shall be printed and a copy shall be furnished to each member of the Council before the hearing of the case.

Case to be conducted by a lawyer of counsel. 92. At the hearing of the case by the Executive Committee their lawyer may be present to advise to the conduct of the case and a counsel employed by them may act as Judicial Assessor. The complainant and also the Pharmacist may be represented or assisted by a Lawyer with or without a counsel.

Procedure regarding personnel appearance of a complainant. 93. Where a complainant appears personally or by a Counsel or Lawyer the following shall be the order of procedure :—

- (1) The Registrar shall read to the Executive Committee the notice of the inquiry addressed to the Pharmacist.
- (2) The complainant shall then be invited to state his case by himself or by his counsel and to produce proofs in support of it.
- (3) The Pharmacist shall then be invited to state his case by himself or by his counsel and to produce his proofs in support of it. At the conclusion of the complainant's proofs his case shall be closed.
- (4) At the conclusion of the Pharmacist's case the Executive Committee shall, if the Pharmacist has produced evidence, hear the complainant in reply on the case generally but shall not take further evidence except in any special case in which the Executive Committee may think fit to take such further evidence. If the Pharmacist produces no evidence, the complainant shall not be heard in reply except by special leave of the Executive Committee.

(5) Where a witness is produced by any party before the Executive Committee, he shall be first examined by the party producing him and then be cross examined by the adverse party and then reexamined by the party producing him. The Executive Committee reserves to itself the right to decline to admit an evidence any declaration where the declarant is not present or declines to submit to cross examination.

(6) The President and the Judicial Assessor when present may put questions to any witness and members of the Executive Committee through the President, may also put questions to any witness.

Procedure
regarding non-
appearance of
the complainant.

94. Where there is no complaint or no complainant appears the following shall be the order of procedure:-

- (1) The Registrar shall read to the Executive Committee the notice of enquiry addressed to the pharmacist and shall state the facts of the case and produce before the Executive Committee the evidence by which it is supported.
- (2) The pharmacist shall then be invited to state his case by himself or by his Counsel and to produce his proofs in support of it. He may address the Executive Committee either before or at the conclusion of his proofs but only once.
- (3) The Lawyer to the Executive Committee may be heard in reply if the Executive Committee so desires.

The case how
to be
concluded.

95. Upon the conclusion of the case the Executive Committee shall deliberate thereon in private and at the conclusion of the deliberation the President shall for the purpose of summing up the result of the deliberations call upon the Executive Committee to vote on such of the following Resolutions to be put from the chair as may be applicable to the circumstances of the case:-

- (1) In the case of a pharmacist who has been convicted of a cognizable offence defined in the Code of Criminal Procedure, 1973 alleged against him in the notice of inquiry. That — — — — — has proved to have been convicted of a cognizable offence as defined in the Code of Criminal Procedure, 1973 alleged against him in the notice of the inquiry.

- (2) In the case of a pharmacist charged with infamous conduct in professional respect;—

- (a) That the Executive Committee do now proceed to decide the fact against — — — — — in the notice of inquiry have been proved or have not been proved.

If this resolution is not carried, the further hearing of the case shall stand adjourned till the next or some other future session of the Executive Committee may direct and the hearing, thereof shall be taken at such next future session as an adjourned case.

If this Resolution is carried, the Executive Committee shall be called upon by the President to vote on the following Resolution to be put from the chair.

- (b) That the fact or the following facts (specifying them) alleged against — — — — — in the notice of inquiry have been proved to the satisfaction of the Executive Committee.

If this resolution is carried, the Executive Committee may either proceed to judge whether on the facts proved the accused, Pharmacist has been guilty of infamous conduct in professional respect and direct the Registrar to erase his name from the Pharmacists Register or may postpone its judgement and adjourn the case until the next or some other future session.

- (3) In the case of a Pharmacist convicted of a felony (or Misdemeanour or Crime of Offence) or charged with infamous conduct in professional respect for the purpose of deciding whether or not the judgement of the Executive Committee of the conviction (or facts) proved shall be postponed and the Executive Committee shall be called upon by the President to vote on the following Resolution to be put from the Chair.

- (a) That the Executive Committee do now proceed to pronounce their judgement on the conviction (or facts) proved against.

If this resolution is not carried the Judgement of the Executive Committee shall stand postponed

till the next or some other future session of the Executive Committee as it shall direct and the case shall be taken at such new or other future session as a case in which judgement has been postponed.

If this resolution is carried, the Executive Committee shall proceed at once to pronounce its judgement on the case and shall be called upon by the President to vote upon the following Resolution to be put from the Chair :—

IN THE CASE OF A CONVICTION

(b) that — — — — — having been proved to have been convicted of the felony (or misdemeanour of crime offence) alleged against him in the notice of an enquiry the Registrar be directed to erase his name from the Pharmacists Registrar (In the case of the Pharmacist charged with infamous conduct in professional respect:—

(c) That the Executive Committee do now judge— — — — — to have been guilty of infamous conduct in professional respect and do direct the Registrar to erase from the Pharmacist Register the name of — — — — —

That the Executive Committee do not see fit to direct the Registrar to erase from the pharmacist Register the name of — — — — —

Adjournment
of the hearing.

96. In the event of an adjournment of the hearing or a postponement of judgement to another session, the Executive Committee on the case coming again for consideration, may hear the pharmacist and the complainant (if any) on the day fixed for further consideration and shall request the attendance of the Pharmacist on that day before the Executive Committee and the complainant and the Pharmacist shall each be requested to furnish to the Registrar in writing not less than fifteen days before the day so fixed, a statement in writing of any further facts or evidence which he may desire to be laid before the Executive Committee.

The notice shall be given so as to allow at least twentyeight days between the day on which the notice is given and the day appointed for further consideration. No further, facts or evidence presented by a party to the inquiry shall be received

or considered by the Executive Committee unless a Statement thereof has been previously furnished to the Registrar in compliance with this Rule.

Further consideration of the case.

97. On the case coming before the Executive Committee for further consideration the Lawyer if present of the Registrar when the lawyer is not present shall if necessary state the facts and explain the position of the case to the Executive Committee. The pharmacist shall then be invited to address the Executive Committee either personally or by his counsel of which he may have duly given notice to the Registrar and the complainant (if any) shall then be invited to address the Executive Committee any further evidence of which he shall have duly given such notice. At the conclusion of the further hearing, the Executive Committee shall deliberate on the case in private and at the conclusion of the deliberation. The President shall call in an adjourned case on the same resolution as at the original hearing and in case in which judgement was postponed on Resolution (3) (a) and (b) and in rule 95, as the case may be.

Removal of the name of the Pharmacists by formal Resolution.

98. If under the direction of the Executive Committee all the qualification of any pharmacist have been erased from the pharmacists Register then the Executive Committee shall, if it thinks fit, by formal resolution put by the President from the Chair direct the Registrar to remove the name of such Pharmacist from the Pharmacy Register.

Order to remove the name of the registered pharmacist.

99. An order by the Executive Committee to remove the name of the registered pharmacist under the provisions of sub-section (1) of section 36 of the Act shall be subject to confirmation by the State pharmacy Council under the said sub-section and shall not take effect until expiry of three months from the date of such confirmation.

Notice of removal of and intimation

100. The Registrar shall upon the removal of any name from the Register pursuant to the provisions of the proceeding clauses or of section 36 of the Act, forthwith send a notice of such removal to the pharmacist and such notice shall be sent by a registered letter to the address of the pharmacist. The Registrar shall also send forthwith the intimation of any such removal to the Licensing Authority under the Drugs Act of the State and also to the Dean or Secretary or other proper officer of any body or bodies from which the pharmacist has received his qualification or qualifications.

A person whose name has been removed from the register under provisions of the rules shall forth with surrender his certificate of registration to the Registrar and the names so removed shall be published in the official Gazette.

Rule of the Executive Committee regarding removal of any name of pharmacist.

101. The Registrar shall within one month after any names have been removed from the Pharmacy Register by order of the Executive Committee under section 36 of the Act send to the bodies concerned a list of all such names and shall call the attention of such Licensing body to the following recommendation of the Executive Committee, namely ;—

“The Executive Committee recommends that no person whose name has been once removed from and has not been restored to the Pharmacy Register shall without previous reference to the Executive Committee be admitted to Examination for any new qualification which is registrable in the Pharmacist Register.”

PART-XV

RESTORATION OF NAME TO THE PHARMACIST REGISTER

Restoration of the name removed.

102. Application for restoration of the name of a person to the Pharmacy Register removed under section 36 of the Act, shall be entertained at the next session of the Council only.

Re-entry of the name in the register.

103. The Executive Committee may, on application received from a person whose name has been erased from the register under section 36 of the Act, direct the Registrar, if it thinks fit, to re-enter the name in the Register.

Application for the re-entry.

104. No application for the re-entry of a name erased from the register under section 36 of the Act shall be entertained unless it is accompanied by an application from the applicant in Form “L” and by the following documents:—

(a) Applicant's Educational Qualification Certificate:—

(b) His certificate of registration in original.

Procedure regarding consideration of the application

105. Any person whose name has been removed from the register by the direction of the Council under section 36 of the Act but who still possess a Qualification entitling him to be registered under the Act, may make an application to the Registrar

of the Council for the re-entry of his name in the register and the following procedure shall be followed in the case of every such application:-

- (1) The application shall be in writing addressed to the Registrar of the Council and signed by the applicant and shall state the grounds on which the application is made.
- (2) The application shall be accompanied by:-
 - (a) a declaration made by the applicant setting forth the facts of the case and stating that he is the person originally registered and
 - (b) by one of the following documents:-
 - (i) applicant's educational certificate:-
 - (ii) his certificate of registration in original if the same has not been already returned by him in accordance with the provisions of section 36 (5) of the Act;
 - (iii) a certificate in Form "M" from two pharmacist registered under the Act as to his identity.
- (3) The statement in the application shall also be verified by the certificates in writing to be given by two pharmacists registered under the Act who are resident in the neighbourhood of the place where the applicant has been residing since the removal of his name and they shall testify to his present good character.
- (4) Before the application is considered by the Council, the Registrar shall notify the name to the licensing bodies whose qualification were held by the applicant at the time his name was removed and shall further by letter addressed to the person or body (if any) on whose complaint the applicant's name was removed, give notice of the application and of the time when Council intends to consider the same.
- (5) The Council shall consider the application and may, if it thinks fit, adjourn the consideration of it to a future date or require further evidence or explanation from the applicant.
- (6) The application and the certificates referred in the sub-rule (3) shall be in Forms "N" or "O" with such verifications as circumstances may require. Printed forms shall be kept by the Registrar who shall supply them to intending applicants.

PART-XVI
REGISTRAR, CLERKS AND OFFICE HOURS

- Scale of pay and other allowances of the Registrar 106. The qualifications and the scale of pay for the post of the Registrar shall be fixed by the Council with the previous approval of the State Government. In respect of grant of leave and travelling and other allowances to the Registrar the Council shall generally be guided by the Principles laid down in the Civil Services Rules of the State.
- Tenure of the post of Registrar 107. The post of the Registrar shall be a permanent tenure. In the case of a new appointment, there shall be a probationary period of one year. The Registrar shall be a full time officer of the Council.
- Keeping of registers 108. The Registrar shall keep his registers in accordance with the provisions of the Act and the Rules and Regulations of the Council.
- Registrar to be present at every meeting 109. The Registrar shall be present at every meeting of the Council and of the Executive Committee and shall take minutes of the proceedings at such meetings.
- Correspondence of the Council 110. The Registrar as the Secretary shall conduct and have charge of the correspondence of the Council and shall issue all requisite notices in the matter required under these rules.
- Registrar to fulfil all the duties 111. The Registrar shall perform all the duties that may be required of him by the Act and these rules.
- Working days of the 112. Public holidays excepted, the office of the Registrar shall be kept open during the days when Government Secretariat offices are kept open. The Registrar shall not absent himself from duties unless with the permission from the President. The President shall grant leave to the Registrar in accordance with the Principles laid down in the Services Rules of the State.
- Registrar authorised to obtain temporary additional assistance 113. The Registrar shall be authorised to obtain whatever temporary additional assistance that may be required subject to the sanction of the President.
- General Control of the management of the office 114. The Registrar shall have the general control of the management of the office, authority over the clerks and servants and Superintendents of the building.

Duties of the
Clerk

115. The duties of the clerks shall be assigned to them by the Registrar under the direction of the Executive Committee.

Attendance
of the Clerk
at the office

116. The Clerks and peons shall attend at the office on all days when Government Secretariat offices, are kept open at other times," when necessary and they shall not be absent from the duties unless by permission from the Registrar.

Attendance
of the peon
and their
leave.

117. Leave to clerks and peons shall be granted by the Registrar as admissible to the State Government servants under the relevant rules in force in the State of Manipur.

PART—XVII CORPORATE SEAL

Corporate
Seal

118. The Corporate seal shall be kept in a box having two different locks and the key of one of these locks shall be in the Custody of the President and the key of the other lock in the Custody of the Registrar.

Use of
Seal

119. The seal shall be affixed only by the order of the Council or, when the Council is not sitting, by order of the Executive Committee but its use by such Committee shall be limited to such Acts as may be necessary to carry into effect the powers delegated to it by the Council.

Order for
affixing
the seal

120. Any order for affixing the seal shall state the object of its use, and shall be entered in the minutes, of the Councils of the Executive Committee as the case may be.

PART—XVIII INSPECTION OF DOCUMENTS

Inspection of
Documents

121. The following shall be the condition on which leave is granted to members of the Council to inspect the documents of the Council when not required for use by its legal advisers.

- (1) A notice in writing of three clear days shall be given to the Registrar, except when the Council is in session when special leave may be granted:
- (2) The subject of the documents needed for inspections shall be stated;

- (3) The Registrar shall be held responsible for the safe custody of all the documents;
- (4) It shall be an institution to the Registrar to have documents so arranged with respect to Chronological order or otherwise as to facilitate their inspection during office hours;
- (5) Document under inspection shall not be removed from the premises of the Council;
- (6) All such documents and the information derived there from shall be regarded as strictly confidential.

PART-XIX ACCOUNTS

- | | |
|--|---|
| Contribution to Councils from Private persons etc. | 122. The Council is authorised to receive for the purpose of its expenses, benefactions and contributions from private persons and bodies and proceeds of the sale of reports and other publication. |
| Opening of an account | 123. An account shall be opened in the State of India, Imphal in the name of the Council and all the money of the Council shall be deposited in the Bank subject to the reservation mentioned in rule 130. |
| Appointment of the Registrar as the Treasurer | 124. The Registrar, if appointed as a treasurer under clause (a) of section of 26 of the Act, shall receive all the money payable to the Council. He shall not retain in his hand a sum of more than Rs. 1000/- the balance being lodged in the Bank to the credit of the Council. |
| The Registrar as the treasurer to Superintendent the income and expenditure | 125. The Registrar, as the treasurer, shall superintend the details of income and expenditure of the State Pharmacy Council and shall at each ordinary meeting of the Executive Committee submit a financial statement showing the transactions of the Council for the month previous to one in which the meeting is held. This statement may if possible be sent alongwith the notice calling the meeting. |
| Preparation of Statement of income and expenditure | 126. The Registrar shall in the month of July in each year prepare a statement of income and expenditure of the proceeding financial year ending 31st March and draw the attention of the Council such matters as seen deserving of notice. |

APPENDIX

FORM "A"

Election of a member or members of the State Pharmacy Council :

Notice is hereby given under the Provision of rule 5 of the Rules and Regulations of the Manipur Pharmacy Council that the election of — — — — — members of the Manipur State Pharmacy Council to serve during the period expiring — — — — — day of — — — — — is about to be held.

Nomination of eligible persons to fill the vacancy are invited.

Each candidate must be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of any number of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper must be in Form B to rule 6(3) giving all the details required therein.

The nomination paper must reach the undersigned not later than — — — — — day of — — — — — from whom forms of nomination papers may be obtained on application.

Nomination paper in respect of which provisions of part 1 of the Rules have not been complied with or which are not received by the Returning Officer by the aforesaid date, shall be invalid.

Returning Officer.

Address — — — — —

Date — — — — —

FORM "B"
[Rule 6(3)]

FORM OF NOMINATION PAPER

Election of a member or members of the State Pharmacy Council :

I, the undersigned being a registered pharmacist hereby nominate (a) — — —
— — — — — registered as a Pharmacist, his registration number

Annual
Account.

127. The annual account shall be made up by the Registrar under the direction of the Executive Committee.

Laying of
estimate of
the Revenue
and of the
expenditure
before the
Council.

128. In the month of September each year, an estimate of the revenue and of the expenditure of the Council for the year commencing on 1st April next ensuing shall be laid before the Council.

Provisions of
the estimate.

129. The estimate shall make provisions for the fulfilment of the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, besides all revenues ordinarily anticipated and all fees received from Registration and other sources and the amount expected from the State Government by way of grant.

Sanction of
the estimate.

130. The Council shall consider the estimate so submitted to it and shall sanction the same either unaltered or subject to such alternation as shall be deemed fit.

Preparations
of supplement-
ary estimate.

131. The Council may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every supplementary estimate shall be considered and sanctioned by the Council, in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.

Payment of
Bills.

132. A bill or other voucher presented as a claim for money shall be received and examined by the Registrar. If the claim be for a sum not exceeding Rs. 50/- and the bill is in order, he shall pay it. If the claim is for a sum exceeding Rs. 50/- and the bill is in order, payment shall be made after it is sanctioned by the President.

General Cash
Book.

133. The Registrar shall immediately bring into account in the General Cash Book all money received or spent by the Council.

Encashment
of cheques.

134. All the Cheques of the Bank shall be signed both by the President and the Registrar.

APPENDIX

FORM "A"

Election of a member or members of the State Pharmacy Council :

Notice is hereby given under the Provision of rule 5 of the Rules and Regulations of the Manipur Pharmacy Council that the election of — — — — — members of the Manipur State Pharmacy Council to serve during the period expiring — — — — — day of — — — — — is about to be held.

Nomination of eligible persons to fill the vacancy are invited.

Each candidate must be nominated by a separate nomination paper, but any person entitled to vote at the election may sign the nomination paper of any number of candidates not exceeding the number to be elected and for which he is entitled to vote.

Every nomination paper must be in Form B to rule 6(3) giving all the details required therein.

The nomination paper must reach the undersigned not later than — — — — — day of — — — — — from whom forms of nomination papers may be obtained on application.

Nomination paper in respect of which provisions of part 1 of the Rules have not been complied with or which are not received by the Returning Officer by the aforesaid date, shall be invalid.

Returning Officer.

Address — — — — —

Date — — — — —

FORM "B"

[Rule 6(3)]

FORM OF NOMINATION PAPER

Election of a member or members of the State Pharmacy Council :

I, the undersigned being a registered pharmacist hereby nominate (a) — — —
— — — — — registered as a Pharmacist, his registration number

being (b) ————— as a candidate for election as a member of the Manipur State Pharmacy Council at the forthcoming election,

Signature —————

Address —————

Registration No. —————

Date —————

We, the undersigned second the proposal of Shri —————

Signature —————

Address —————

Registration No. —————

Date —————

Signature —————

Address —————

Registration No. —————

Date —————

I, the undersigned hereby consent to accept nomination as a candidate for election to the Manipur State Pharmacy Council.

Signature —————

Address —————

Registration No. —————

Date —————

FORM "C"

[Rule 6(10)]

FORM OF VOTING PAPER

Election of a member or member of the State Pharmacy Council :

Official mark of the Returning Officer		Election of (a) — — — — Member	
Colum for voter's Mar X	Name of the Candidate (b)	Address	Registration Numbers

(a) Number of candidates to be elected.

(b) Names to be printed in alphabetical order.

INSTRUCTIONS

1. Each elector has — — — — — notes.
2. He shall vote by placing the mark "X" opposite the names of the candidates which he prefers.
3. The voting papers shall be invalid if the Mark "X" is placed more than — — — — candidates or if the marks are so placed as to render it doubtful to which candidate they are intended to apply.
4. The elector shall enclose the voting paper in the identification cover and then enclose that cover in the left hand lower corner of which the elector shall write his full name and signing the voting paper shall be invalid.
5. A voting paper will be invalid if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration therein duly completed.
6. Every elector shall send his voting paper in a separate cover direct to the Returning Officer.
7. If more than one mark is placed before the name of any candidate the whole voting paper will be disqualified.
8. If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
9. This paper must be folded "Face Inwards" and placed in the accompanying "Identification Envelope" which must be securely closed and then placed in a covering Envelope.

FORM "D"

[Rule 6(II)]

FORM OF DECLARATION OF IDENTIFICATION ENVELOPE

Manipur State Pharmacy Council :

I, (a) — — — — — of — — — — —
 hereby declare that I am the person to whom the enclosed voting paper was
 addressed, that I am a registered pharmacist (b)— — — — —
 and that I have not returned any voting paper in this election.

Signature — — — — —
 Address — — — — —
 — — — — —
 Date — — — — —

Signed in the presence of (c) — — — — —

1. Signature — — — — —

2. Signature — — — — —

(a) Insert full name

(b) Insert Registration Number

(c) There must be two witness

FORM "E"

[Rule 69]

FORM OF REGISTRATION OF PHARMACIST

1. Serial Number
2. Name in full
3. Residential Address
4. Date of first admission to the register
5. Qualification for registration
6. Name of the employer
7. Professional address
8. Date of birth
9. Nationality
10. Date of renewal of registration
11. Remark (Note-Removal or restoration of names with date)

FORM "F"

[Rule 71 (1)]

PHARMACY COUNCIL

OF THE STATE OF

MANIPUR

SEAL

No. — — — — —

Date — — — — —

This is to certify that — — — — —
has been duly registered as a

REGISTERED PHARMACIST

and is entitled to all the privileges granted under authority of Act to regulate the practice of Pharmacy in the State of Manipur being the Pharmacy Act, 1948 as ammended.

In witness whereof are herewith affixed the seal of the Manipur State Pharmacy Council and the signature of the said Council.

SEAL.

REGISTRAR

This certificate is the property of Manipur State Pharmacy Council and is issued to the above named pharmacist in accordance with sub-rule (1) of Rule 71 of the Manipur Pharmacy Rules.

FORM "G"

[Rule 72]

FORM OF APPLICATION FOR REGISTRATION OF PHARMACIST
(Under section 32 of the Pharmacy Act, 1948)

To,

The Registrar,
Manipur State Pharmacy Council,
Imphal, Manipur.

Dear Sir,

I request that my name, address and qualifications stated in this application may be registered under the Pharmacy Act, 1948 and that I may be furnished with a certificate of Registration.

I enclose herewith for your perusal return, the certificates and diplomas in original and their copies for the record.

I hereby declare that I have read carefully and understood the instruction and particulars supplied to me and that all the entries in this application are true to the best of my knowledge and belief.

Yours faithfully

Date :

Signature :

INSTRUCTIONS

1. All particulars of this application must be filled in by the applicant in neat legible hand.
2. The names entered in this application must exactly correspond with the name of the applicant entered at the University or other exams.
3. Registration fee of Rs. — — — — /— should be sent to the Registrar State Pharmacy Council. Registration fee should be handed in person or sent by money-order or postal order only. When fee is paid by M.O. or postal order full name and address of the applicant be given.

4. If the space for giving particulars is not found sufficient they may be given on a separate sheet and attached to this application
5. Section 31,32 and 41 of the Pharmacy Act are reproduced as annexure for information of the applicant.
6. If the application is a proprietor of any firm he should produce a declaration of his experience in dispensation.

FORM "H"
[Rule 74(1)]

APPLICATION FOR REGISTRATION OF ADDITIONAL
QUALIFICATION

To,

The Registrar,
Manipur State Pharmacy Council,
Imphal, Manipur.

Sir,

I beg to apply for the registration of the additional qualification of—
_____ which I have obtained from _____
the Certificates of the qualifications are enclosed herewith.

I am already registered under the Pharmacy Act, 1948 and my registration number is—

The prescribed fees of Rs. _____/- is sent therewith
dated _____ the _____

Yours faithfully
(Signature of the applicant)

FORM "T"
[Rule 74 (2)]

REGISTRATION OF ADDITIONAL QUALIFICATIONS
(Under section 35 of the Pharmacy Act, 1948)

The additional Diploma/Degree Certificate appearing below have been inserted in the Register of pharmacists for Manipur State against the name of Shri/Shrimati — — — — —

Registration Number — — — — — Diploma certificates
now registered

Diploma or certificate already registered.

— — — — —
— — — — —
— — — — —

Date — — — — —

Registrar

FORM "J"

[Rule 75]

CERTIFIED COPY OF ENTRIES IN THE REGISTRAR
OFFICE OF THE PHARMACY COUNCIL

No.

Certified to be a true copy of the entry in the Pharmacy Registrar of
the name specified below :

Name	Address	Date of Registration	Qualification
------	---------	-------------------------	---------------

Registrar

N.B.—This certified copy remains evidence of registration; only until
the publication of the printed Pharmacist Register for 19_____.
It is not must that it be used as evidence of the identity of the holder with
the person named therein.

FORM "L"
APPLICATION FOR RE-ENTRY IN THE REGISTER OF PHARMACIST
OF HIS NAME REMOVED UNDER SUB-SECTION (2)
OF SECTION 34.

To,
The Pharmacy Council,
Manipur, Imphal

Sir,

I the undersigned (a) ————— holding the qualifications
of (b) ————— do solemnly and sincerely declare
the following :

In the year (c) ————— my name was duly registered in
the Register in respect of the following qualification viz. (d) ————— and
on the date of erasure of my name I was registered in respect of the following
additional qualification viz. (e) —————

The Registrar removed my name from the Register, on (f) —————
for default in payment of renewal fee.

It is now my intention that my name be restored in the Register to (i) ———
————— Declaration at ————— on —————

Witness (j)

Signature

Address

Registration No.

Yours faithfully

Signature

- a. Insert full name
- b. Insert qualification
- c. Insert date of registration
- d. Insert qualification
- e. Insert additional qualification
- f. Insert date of removal
- g. State address
- h. Give particulars
- i. Insert particulars as to proposed future profession
- j. A registered Pharmacist.

FORM "L"
APPLICATION FOR RE-ENTRY IN THE REGISTER OF PHARMACIST
OF HIS NAME REMOVED UNDER SUB-SECTION (2)
OF SECTION 34.

To,
The Pharmacy Council,
Manipur, Imphal

Sir,

I the undersigned (a) ————— holding the qualifications
of (b) ————— do solemnly and sincerely declare
the following :

In the year (c) ————— my name was duly registered in
the Register in respect of the following qualification viz. (d) ————— and
on the date of erasume of my name I was registered in respect of the following
additional qualification viz. (e) —————

The Registrar removed my name from the Register, on (f) —————
for default in payment of renewal fee.

It is now my intention that my name be restored in the Register to (i) —————
————— Declaration at ————— on —————

Witness (j)

Signature

Address

Registration No.

Yours faithfully

Signature

- a. Insert full name
- b. Insert qualification
- c. Insert date of registration
- d. Insert qualification
- e. Insert additional qualification
- f. Insert date of removal
- g. State address
- h. Give particulars
- i. Insett particulars as to proposed future profession
- j. A registered Pharmacist.

FORM "M"

[Rule 105(2)(b)(iii)]

CERTIFICATE IN SUPPORT OF APPLICATION

I hereby certify that the aforesaid applicant is the above specified ———
 ——— whose name formerly stood in the Register of Pharmacists
 under the Pharmacy Act, 1948 with the following address and qualification:—

Name :

Address :

Qualification :

Date :

Signature of the person
 Certifying
 Registration No.

FORM "N"

[Rule 105(6)]

STATUTORY DECLARATION BY APPLICANT FOR RESTORATION OF
 NAME TO THE REGISTER OF PHARMACISTS UNDER SECTION 36
 OF THE PHARMACY ACT, 1948

To,

The Registrar of Pharmacy Council, Manipur, Imphal.

1. I, the undersigned (a) — — — — — now holding,
 the qualifications of (b) — — — — — do solemnly and sincerely declare
 that the following are the facts of my case and in reason of which I seek re-entry
 of my name in the State Pharmacy Register.

2. In the year of (c) — — — — my name was duly registered in the
 Register in respect of the following qualifications namely (d) — — — — and on the
 date of the removal of my name herein after mentioned. I was registered in respect
 of the same qualifications (e) — — — — — and also in respect
 of the following additional qualification, namely:—

3. As an enquiry held on the (f) — — — — the Council directed my
 name to be removed from the Register on a complaint made to the State Pharmacy
 Council by (g) — — — — of — — — — — and the offence for
 which the Council directed the removal of my name was (h) — — — — —

(4) Since the removal of my name from the register I have been residing at (l) — — — — — and my occupation has been — — — — —

(5) It is now my intention that my name be re-entered in the Register (j) — — — — —

(6) The grounds of application are (k) — — — — —

Signature

Declaration at

on

before me

Ist Class Magistrate

- (a) Insert full name
- (b) Insert qualification if any
- (c) Insert original qualifications
- (d) Insert date
- (e) To be added to if necessary
- (f) Insert date of enquiry
- (g) Insert name and address of the complainant
- (h) Insert charge on which name was removed
- (i) The blanks in this paragraph must be filled in accordance to the circumstances
- (j) Insert particulars as to the proposed future professional occupation
- (k) All facts and grounds on which the application is made should be clearly and concisely stated.

FORM "O"

[Rule 105(6)]

CERTIFICATE IN SUPPORT OF APPLICATION

I, — — — — — of — — — — —
certify as following:

- (i) My Registration No. is
- (ii) I have read paragraphs (4) and (5) of the application of — — — — — of — — — — — and say that I have been and am well acquainted to the person removed from the Register

and that I believe him/her to be now a person of good character and that the statements in the said paragraphs are to the best of my knowledge, information and belief, true.

Date:

Address:

Signature

Registration No.

By order etc.

APPLICATION

1. Name in full
(in block letters) :
2. Place and date of birth :
3. Nationality :
(in block capitals)
4. Residential address :
(in block capitals)
5. Address of business or profession :—
(in block capitals)
6. Description of qualification of
which registration is desired :
Degree of Diploma
Name and address

Institution

Period of Service

From
to

- *7. (a) Present Employer
(b) Previous Employer

Signature of the Applicant

*Details of experience given against item 7 of the application should be supported by a certificate in the form given below.

In the application is unable for any reason to furnish such a certificate declaration be made before a Presidency Magistrate or a Magistrate of the First Class.

\$0

Form of Certificate of experience as detailed under Item 7 of the application
from a person or a registered medical Practitioner— — — — —

This is to certify that Shri/Smt. — — — — —
was/has been engaged in compounding of drugs in my/our dispensary
from — — — — — to — — — — —

Date :

Signature — — — — —

Designation — — — — —