

The M.P. Pharmacy (Preparation of First Register) Rules, 1973

MADHYA PRADESH

India

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Rule

THE-M-P-PHARMACY-PREPARATION-OF-FIRST-REGISTER-RULES-1973 of 1973

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The M.P. Pharmacy (Preparation of First Register) Rules, 1973Published vide Notification No. 1-2-73-4-17-C, dated 13-4-1973, M.P. Rajpatra, Part 4 (Ga), dated 15-6-1973In exercise of the powers conferred by sub-section (1) and clauses (i), (j) and (k) of sub-section (2) of Section 46 of the Pharmacy Act, 1948 (8 of 1948) and in supersession of all rules previously made on the subject the State Government hereby makes the following rules, namely :-

1. Short title.

- These rules may be called the Madhya Pradesh Pharmacy (Preparation of First Register) Rules, 1973.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Pharmacy Act, 1948 (8 of 1948);(b)"Form" means a form appended to these rules;(c)"Registration Tribunal" means the Registration Tribunal constituted by the State Government under sub-section (1) of Section 30 of the Act;(d)"Registrar" means the Registrar appointed by the State Government under sub-section (1) of Section 30 of the Act;(e)"Section" means a section of the Act;(f)"Stale Government" means the Government of the State of Madhya Pradesh.

3. Form of application.

- The application for registration shall be made to the Registration Tribunal in Form A.

4. Fees.

- Application for registration under sub-section (2) of Section 30 shall be accompanied by a fee of rupees ten.

5. Maintenance of the register.

- The register in which the names of the applicants shall be entered by the Registrar under sub-section (3) of Section 30 shall be in Form B.

6. Certificate of registration.

- The certificate of registration under sub-section (5) of Section 30 shall be issued by the Registrar in Form C. Form A [See Rule 3] Application for First Registration To. The Registrar, Registration Tribunal (Pharmacy) Madhya Pradesh, Bhopal. Dear Sir, I request that my name, address and qualifications as 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 and return the certificates and diplomas in original and their copies for the record. I hereby declare that I have read carefully and understood the instructions 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, Signature Dated : Instructions (1) All particulars of this application must be filled in by the applicant in neat legible hand. (2) The name entered in this application must exactly correspond with the name of the applicant entered at the University or other examinations. (3) Registration fee of Rs. 10 should be sent to the Registrar, Registration Tribunal (Pharmacy), Madhya Pradesh, Bhopal. Registration fee should be handed in person or sent by money order or postal order only. When fee is sent by M.O. or Postal Order full name and address of 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) Sections 31 and 41 of the Pharmacy Act, 1948 are reproduced as annexure for information of the applicant. (6) If the applicant is a proprietor of any firm he should produce a declaration of his experience in dispensing. Application

1. Name in full, beginning with Surname

(in block capitals).

2. Place and date of birth.

3. Nationality.

4. Residential Address

(in Block Capitals).

5. Address of business or profession

(in Block Capitals).

6. Description of Qualifications of which registration is desired.

Degree or Diploma Institution Dates Name and address 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. If the applicant is unable for any reasons to furnish such a certificate a declaration be made before a Magistrate of the First Class. 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/Shrimati was/has been engaged in compounding of drugs in my/our dispensary from to..... Dated : Signature Designation Form B [See Rule 5] First Register of Pharmacists

1. Serial number

2. Name in full

3. Father's name

4. Residential address

5. Date of first admission to the Register

6. Qualifications for registration.

7. Name of the employer

8. Professional address

9. Date of birth

10. Nationality

Form C [See Rule 6] Certificate of Registration under Sub-Section (5) of Section 30 of The Pharmacy Act, 1948 (8 of 1948) No..... Bhopal, dated the..... This is to certify that Shri..... son of Shri..... address..... has been duly registered in the first register as a registered Pharmacist under sub-section (5) of Section 30 of the Pharmacy Act, 1948 (8 of 1948). Seal..... Registrar Annexure Section 31 of The Pharmacy Act, 1948 (8 of 1948) Section 31.-Qualification for entry on first register. - A person who has attained the age of eighteen years

shall be entitled on payment of prescribed fee to have his name entered in the first register if he resides, or carries on the business or profession of pharmacy, in the State and if he-(a) holds a degree or diploma in pharmacy or pharmaceutical chemistry or a chemist and druggist diploma of an Indian University of a State Government, as the case may be, or a prescribed qualification granted by an authority outside India; or (b) holds a degree of an Indian University other than a degree in pharmacy or pharmaceutical chemistry, and has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than three years; or (c) has passed an examination recognised as adequate by the State Government for compounders or dispensers; or (d) has been engaged in the compounding of drugs in a hospital or dispensary or other place in which drugs are regularly dispensed on prescriptions of medical practitioners for a total period of not less than five years prior to the date notified under sub-section (2) of Section 30.

Section 41.-Penalty for falsely claiming to be registered. - (1) If any person whose name is not for the time being entered in the register of the State falsely pretends that it is so entered or uses in connection with his name and title any words or letters reasonably calculated to suggest that his name is so entered, he shall be punishable on first conviction with fine which may extend to one hundred rupees and on any subsequent conviction with imprisonment extending to six months or with fine not exceeding one thousand rupees or with both : Provided that it shall be a defence to show that the name of the accused is entered in the register of another State and that at the time of the alleged offence under this section an application for registration in the State had been made.

(2) For the purpose of this section :- (a) it shall be immaterial whether or not any person is deceived by such pretence or use as aforesaid; (b) the use of the description "pharmacist", "chemist", "druggist", "pharmaceutist", "dispenser", "dispensing chemist", or any combination of such words (or of any such word with any other word) shall be deemed to be reasonable for a person whose name is for the time being entered in the register of the State. (c) the onus of proving that the name of a person is for the time being entered in the register of a State shall be on him who asserts it.

(3) Cognizance of an offence punishable under this section shall not be taken except upon complaint made by order of the State Government or (any officer authorised in this behalf by the State Government) or by order of the Executive Committee of the State Council.