

# Pharmacy Council of India Regulations, 1952

UNION OF INDIA

India

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### Rule PHARMACY-COUNCIL-OF-INDIA-REGULATIONS-1952 of 1952

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#### 1592.

S.R.O. 1469, dated the 25th August, 1952. - In exercise of the powers conferred by Section 18 of the Pharmacy Act, 1948 (8 of 1948), the Pharmacy Council of India with the previous sanction of the Central Government has made the following regulations, namely:

#### 1.

These Regulations may be called the Pharmacy Council of India Regulations.

#### 2.

In these Regulations, -(1)'The Act' means the Pharmacy Act, 1948 (8 of 1948);(2)'The Council' means the Pharmacy Council of India constituted under the Act;(3)'The Executive Committee' means the Executive Committee constituted under Section 9 (1) of the Act;(4)'Inspectors' means the Inspectors appointed under Section 16(1) of the Act;(5)'Education Regulations' means Regulations made under Section 10 of the Act;(6)'The Secretary' means the Secretary appointed under sub-section (1) of Section 8 of the Act;(7)'The Treasurer' means the Treasurer appointed by the Council under sub-section (1) of Section 8 of the Act;(8)'Ministerial Staff' means the Superintendent, Assistants, Accountants, Clerks, Stenographers and Typists appointed under section 8(2) of the Act;(9)'Class IV staff' means Daftries, Jamadars, Peons, Chowkidars and Sweepers appointed by the Council.

**3.**

The office of the Council shall be situated in Delhi.

## **Part I – Time And Place Of, And Preparation Of Business For, Meetings Of The Council**

**4.**

(1)The Council shall ordinarily meet once in a calendar year on such date and place as may be fixed by the President:Provided that 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)shall call a special meeting on 15 days' notice, if he receives a requisition in writing signed by not less than 10 members and stating the purpose for which they desire the meeting to be called, such purpose being other than that mentioned in the first proviso to Regulation 8 (1) (b) and being a purpose within the scope of the Council's functions.(2)The first meeting of the Council held in any calendar year shall be the Annual Meeting of the Council for that year.

**5.**

At meetings referred to in the proviso to Regulation 4(1) only the subject or subjects for the consideration of which the meeting has been called shall be discussed.

**6.**

Notice of every meeting other than a special meeting called under the proviso to Regulation 4 (1) or under the first proviso to Regulation 8 (1) (b) shall be despatched by the Secretary to each member of the Council not less than 40 days before the date of the meeting.

**7.**

(1)The Secretary shall issue with the notice of the meeting a preliminary Agenda Paper showing the business to be brought before the meeting, the terms of all motions to be moved of which notice in writing has previously reached him and the names of the movers.(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 Secretary not less than 25 clear days before the date fixed for the meeting.(3)The Secretary shall, not less than 15 clear days before the date fixed for the meeting, and in the case of 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 Paper shall give notice thereof to the Secretary not less than 3 clear days before the date fixed for meeting.(5)The Secretary shall, if time permits, cause a list of all amendments of which

notice has been given under clause (4) to be made available for the use of every member: Provided that the President may, if the Council agrees, allow a motion to be discussed at a meeting notwithstanding the fact that notice was received too late to admit of compliance with this Regulation: Provided also that nothing in this Regulation shall operate to prevent the reference by 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 of the notice required under this Regulation.

## **8.**

(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 of 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 Regulations shall operate to prohibit the further discussion of any matter referred to the Council by the Central Government in the exercise of any of its functions under the Act; (c) unless it is clearly and precisely expressed and raises substantially one definite issue; (d) if it contains inferences, ironical expressions or defamatory statements. (2) The President shall disallow any motion which, in his opinion, is inadmissible under clause (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 Secretary 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 II – Conduct Of Business At Meetings Of The Council**

## **9.**

(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 present, 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) Fifteen members of the Council 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.

## **10.**

If, at the time appointed for a meeting, a quorum is not present, the meeting shall not commence until a quorum is present, and if 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, the meeting shall stand adjourned to such future time and date as the President may appoint.

## **11.**

(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 hands a division shall be taken if a member asks for it. (3) The President shall determine the method of taking 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 any equality of votes the President shall have a second or a casting vote.

## **12.**

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.

## **13.**

(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 thus stated, it may be discussed as a question to be resolved either in the affirmative or in the negative or any member may, subject to Regulations 14 and 15, move an amendment to the motion: Provided that the President shall not allow an amendment to be moved which if it had been a substantive motion would have been inadmissible under Regulation 8.

## **14.**

(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.

## **15.**

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.

## **16.**

(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 or of the amendment as the case may be, as proposed in Regulation 13; (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 to pass to the next item on the programme of business :Provided that no such motion or amendment shall be moved so as to interrupt a speech:Provided also that no motion of the nature referred to in sub-clauses (b) (c) and (d) shall be moved or seconded by a member who has already spoken on the question then before the meeting:Provided further that a motion referred to in sub-clauses (c), and (d) above shall be moved without a 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 sub-clause (b) of clause (1).(3)Unless the President is of opinion that a motion for 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.

## **17.**

Provided 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.

## **18.**

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

## **19.**

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 a motion or of 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.

## **20.**

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

## **21.**

(1)The mover of an original motion, and if permitted by the President, the mover of any amendment, shall be entitled to a right of final reply ; no other member shall speak more than once in any debate except, with the permission of the President, for the purpose of making a personal explanation or of

putting a question to the member then 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 to the motion subsequently moved.(2)No member shall, save with the permission of the President, speak for more than five minutes :Provided that the mover of a 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 forward by another member with the permission of the President.

## **22.**

(1)A member desiring to make any observations on the matter before the Council shall speak from his place, shall rise when he speaks, and shall address the President.(2)If at any time the President rises, any member speaking shall immediately resume his seat.

## **23.**

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

## **24.**

(1)When an amendment to any motion is moved and seconded or when two or more such amendments are moved and 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 the vote first.(3)If there be more than one amendment to a motion the President shall decide in what order they shall be taken.

## **25.**

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.

## **26.**

(1)The President 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 Secretary shall, if possible, send notice of the adjournment to every member who was not present at such meeting.(3)When a meeting has been adjourned to a future day, the President may change such day to any other day and the Secretary 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 over 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, and if the Council agrees such a change shall be made.(6)No matter which had not been on the Agenda of the original meeting shall be discussed at an adjourned meeting.(7)The same quorum shall be necessary for an adjourned meeting as for an ordinary meeting, except in such cases as provided for in Regulation 9(3).

**27.**

(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 regulations make no provision, the President shall decide the same and his decision shall be final.

**28.**

Four representatives of the Press and other visitors, not exceeding four at a time may be admitted, at the discretion of the President, to the meetings on production of permits from the Secretary. The press representatives shall be required to obtain the previous approval of the Secretary for the publication of their report of the proceedings.The Presidents, at any time may hold the meetings in camera in which case all visitors including Press representatives will be required to withdraw.

## **Part III – Minutes Of The Council**

**29.**

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.

**30.**

A copy of the minutes of each meeting shall be submitted to the President within 10 days of the meeting and attested by him and they shall then be sent to each member within 30 days of the meeting.

**31.**

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

**32.**

If any objection regarding the correctness of the minutes is received within 30 days of the despatch of the minutes by the Secretary, such objection 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 last meeting: Provided that if no objection regarding a decision taken by the Council at a meeting is received within 30 days of the despatch by the Secretary of the minutes of that particular 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 be taken on a decision of the Council before the expiry of the period of 30 days mentioned above.

**33.**

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

**34.**

A report shall be kept of the observations and of the discussions at the meetings of the Council in as accurate a manner as possible for the use of the members of the Council. The detailed proceedings of the meetings which shall be treated as 'Confidential' shall be kept in the office and shall be open to 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 payment of the sum not exceeding the cost of copying fixed by the President. No copy of proceedings held in camera shall be supplied but such proceedings may be inspected by the members.

## **Part IV – Powers And Duties Of The President And Vice-President**

**35.**

The President shall exercise such powers and perform such duties as are contained in the provision of the Act, the Regulations and Standing Orders of the Council. He shall do such acts he considers necessary in the furtherance of the objects for which the Council is established.

**36.**

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 perform the duties of the President.

## **Part V – Executive Committee functions of, meetings of, quorum, etc.**



**37.**

The meeting of the Executive Committee shall be governed as far as may be by the Regulation applicable to the meetings of the Council.

**38.**

If at the time appointed for a meeting a quorum is not present the meeting shall not commence until a quorum is present, and if a quorum is not present on the expiration of 30 minutes from the time appointed for the meeting or during the course of any meeting, the meeting shall stand adjourned to such future date and time as the President may appoint.

**39.**

If both the President and the Vice-President are absent, the members present shall elect one of their members to act as Chairman.

**40.**

Four members of the Executive Committee shall form a quorum and, at a meeting adjourned for want of quorum, no quorum shall be necessary.

**41.**

The Executive Committee may invite a member of the council not being a member of the Executive Committee to attend any meeting of the Executive Committee. Any member so invited shall be free to participate in the discussions in the Executive Committee but shall not function as a member of the Committee, whether by way of voting or otherwise.

**42.**

(1) Within one week before the meeting of the Council the Executive Committee shall ordinarily meet and also at such other times and places as the President may determine. (2) Notice and Agenda of such meetings of the Executive Committee shall ordinarily be given 15 days before the meeting.

**43.**

The Executive Committee shall take into consideration the reports on the Courses of Study and Examinations submitted by Inspectors appointed for the purpose and shall thereupon prepare a report for submission to the Council.

**44.**

The Executive Committee shall consider and report on any subjects referred to it by the Council or by the President and may with the sanction of the President direct the printing and circulation of such reports among members of the Council.

**45.**

A copy of the minutes of each meeting shall be submitted to the President within 10 days of the meeting, and after having been attested by him shall be sent to each member within 20 days of the meeting. If no objection to their correctness is received within 20 days of their despatch any decisions therein shall be given effect to. The minutes shall be sent to the members of the Council after confirmation by the Executive Committee: Provided that the President may direct that action be taken on a decision of the Executive Committee before the expiry of the period of 20 days mentioned above.

## **Part VI**

**46.**

(1) The President shall direct any business, which it may be necessary for the Council or the Executive Committee to discuss and decide, to be transacted by circulation among the members of the Council or the Executive Committee: Provided that if ten members of the Council or three members of the Executive Committee, as the case may be, desire that any particular subject shall be decided at a meeting instead of by circulation, it shall be placed before a meeting of the Council or the Executive Committee. (2) Any resolution or report which is circulated on the discretion of the President and approved by a majority of the members signing shall be as binding as a resolution adopted in a meeting of the Council or the Executive Committee.

## **Part VII – Other Committees**

**47.**

The Council may, at any time, on the adoption of a motion to this effect, appoint a Committee consisting of any number of its members or resolve itself into a Committee for the consideration of any business.

**48.**

(1) A member may, at any time, without notice, move that a Committee of the Council be appointed or that the Council do resolve itself into a Committee. (2) A motion for the appointment of a Committee shall define the functions of the Committee, and the number of members to be

appointed.(3)Any member may, without notice, move an amendment to such a motion proposing that the functions or the numbers of members of the Committee be enlarged or reduced.(4)If a motion for the appointment of a Committee is adopted, the mover shall name the members to be appointed as a members of the committee and any member may then move amendments proposing the addition of other names.(5)If the number of members proposed as members of the Committee does not exceed the total number of members to form the Committee, the members so proposed shall be appointed as members of the Committee. If the number of members so proposed exceeds, the total number of members to form the Committee, ballot shall be held and the requisite number of members who obtain the largest number of votes shall be appointed.(6)The President and the Vice-President shall be ex officio members of the Committees appointed by the Council under Regulation No. 47.

#### **49.**

(1)The quorum for a Committee appointed by the Council shall be determined at the time of the appointment of the Committee and shall not be less than a majority of the members appointed.(2)The quorum for a Committee of the whole Council shall be the same as that provided for the meetings of the Council.

#### **50.**

(1)The Chairman of a Committee appointed by the Council shall be appointed by the Council at the time of the appointment of the Committee. The Chairman of the Committee of the whole Council shall, however, be the President.(2)The proceedings of the Committee shall be conducted in accordance with the Regulations contained in this part; provided that such Regulations may at any time be relaxed at the discretion of the Chairman.

#### **51.**

(1)A resolution passed by a committee of the whole Council shall be embodied in a report prepared by the Secretary and signed by the President, and shall have no effect unless confirmed by the Council at a meeting.(2)A resolution passed by a committee appointed by the Council shall be embodied in a report prepared by the Secretary or by the Chairman at the latter's discretion, and, when signed by the members of the committee, shall, with any notes of dissent, be presented to the Council at its next meeting subject to the provisions of the Regulations regarding notice.[51-A. [Inserted by S.O. 3692, dated 27.11.1962]A member of the Council elected at its representative to any other body shall be deemed to have vacated his seat if he ceases to be a member of the Pharmacy Council.]

## **Part VIII – Tenure Of Office, And Powers And Duties Of Secretary Appointed By The Council Under Section 8 Of The Act, And Other Officers And Servants Of The Council.**

Secretary

## 52.

(a)The Secretary shall be a graduate in Pharmacy or of Science of a recognised University and shall have adequate administrative experience, preference being given to a graduate in Pharmacy.(b)The term of office of the Secretary shall be five years. On appointment he shall be on probation for a year. He will be eligible for reappointment at the end of five years and will normally retire on attaining the age of superannuation prescribed by Government for their servants, unless determined otherwise by the Council. The service of the Secretary may be terminated by a three months' notice on either side.(c)The Council may, by a simple majority vote at any of its ordinary meetings, add to or alter the qualification and the term of office of the post of Secretary.(d)The President is authorised to accept on behalf of the Council the resignation of the Secretary on such notice being given. The matter shall be brought to the notice of the Council either by circulation or at the next meeting.

## 53.

(1)He shall perform such duties as have been given in the Act and the Regulations. He shall also be responsible for the safety of the property of the Council and the control and management of the office, accounts and correspondence, and shall see that the office staff attend punctually, and generally fulfil all such duties as may be required of him by the Council for the purposes of the Act. He shall attend and take notes of the proceedings of meetings of the Council and Executive Committee and any Committee.(2)The Secretary shall not less than 90 days before the expiration of the term of any existing appointment draw the attention of the President to the approaching vacancy, and the latter shall forthwith report it to the Central Government in order that a new appointment may be made to take effect from the day on which the existing appointment will expire.(3)The Secretary shall also act as the Treasurer of the Council. The security to be furnished by the Treasurer shall be Rs. 1,000. This Security shall be furnished in the form of fidelity bonds.

## 54.

(1)The Secretary of the Council shall be the ex officio Secretary of the Executive committee, and any other committees set up by the Council. He shall participate in the discussions but shall not function as a member of the committees whether by way of voting or otherwise.(2)He shall be responsible for convening the meetings of the various Committees of the Council, with the approval of the President.Staff

## 55.

Members of the Ministerial and Class IV Staff shall retire on attaining the age of 60 years :Provided that the Executive Committee may at its discretion extend the tenure of a member of the Ministerial of Class IV Staff.

**56.**

The powers and duties of the staff will be such as may be laid down from time to time in the Standing Orders as framed for the purposes by the Council.

**57.**

Subject to the approval of the President, the Secretary shall appoint the Ministerial and Class IV Staff and may engage such temporary personnel as may be required from time to time, and, pay a reasonable rate of remuneration to such personnel, provided it does not exceed the rates sanctioned by the Central Government for corresponding permanent staff. These appointments shall be subject to the confirmation by the Council.

## **Part IX – Inspection Of Examinations**

**58.**

The inspection of examinations under Section 16 of the Pharmacy Act shall be carried out in accordance with the following Regulations: (1) It shall be the duty of the Secretary periodically to ascertain from the Examining Bodies the date and place every examination which may be inspected by the Council. (2) The Executive Committee of the Council shall appoint the requisite number of Inspectors to attend at such qualifying and other examinations as the President or Executive Committee shall direct and to report thereon. An Inspector shall previously have taught students in one or other of the subjects of the final examination or in cognate subject for three years and shall have acted as Examiner at examinations on such subjects. (3) Every Inspector shall receive from the President a formal commission in writing under the Seal of the council. His instructions shall specify the examination or examinations or authority or institutions which he is required to inspect and shall inform him that he is to report thereon to the Executive Committee in accordance with these Regulations a copy of which shall at the same time be supplied to him. (4) It shall be the duty of the Inspector (a) to make himself acquainted with the Education Regulations and such previous Reports on the qualifying examination or examinations or authority or institution which he is appointed to inspect as the President may direct, and with the observations of the authorities or institutions and the Report of the Executive Committee of the Council thereon. He shall be provided by the Secretary with a copy of these documents and of the recommendations of the Council in regard to examinations, and of the Resolutions with regard to Pharmaceutical Education; (b) to attend personally every examination which he is required to inspect, but not to interfere with the conduct thereof; (c) to inspect any authority or institution which provides an approved course of study or has applied for the approval of its course of study and to see that the course is in conformity with the Education Regulations; (d) to report to the Executive Committee independently and separately his opinion as to the sufficiency or insufficiency of each examination or authority or institution inspected by him; (e) to set forth in his reports in order all necessary particulars as to the questions proposed in the written, oral and practical parts of each examination inspected by him, the apparatus and appliances provided for practical examinations, the arrangements made for

invigilation, the method and scales of marking, the standard of knowledge shown by successful candidates, and generally all such details as may be required for adjudicating on the scope and character of the examination; (f) to include in his report, in the form of a brief diary a record of the days and hours when he was present during the course of the examination inspected, and of the parts or division of each examination in progress on each day; (g) to include also in his reports a statement of the extent to which the recommendations of the Council in regard to examinations have been carried out in the case of each examination inspected by him, and also to what extent the resolutions of the Council on pharmaceutical education have been given effect to in the education of the students in the particular subject or subjects with which he is concerned in the inspection; (h) on receipt from the Secretary of a proof copy of any of his reports to compare such proof with the original, and correct, sign, and return it to the Secretary for preservation in the records of the Council as the authoritative copy of such report. (5) Every report of an Inspector shall be printed under the direction of the President, and as soon as the corrected proof thereof has been signed by such Inspector, as provided by these Regulations, copies of such report shall be printed and the report shall be referred to the Executive Committee of the Council for consideration and report to the Council. A copy shall be supplied to each member of the Executive Committee. (6) Reports of Inspectors shall be deemed confidential unless in any particular case the Council shall otherwise direct. (7) As soon as the copies of any report by an Inspector have been printed a sufficient number thereof, marked 'Confidential' shall be forwarded to the authority or institution concerned with a request that the authority or institution will furnish to the Council, with as little delay as possible, such observations thereon as it may think necessary. (8) A confidential copy of every report of an Inspector with the observations of the authority or institution thereon shall be supplied to each member of the Council and shall be considered together with the report of the Executive Committee thereon by the Council at its next session. (9) A copy of every report by an Inspector, with the observations of the authority or institution concerned, and the opinion of the Executive Committee thereon, shall, after approval by the Council, be forwarded to the Central Government. (10) No Inspector shall take part in the inspection of any examination in the Institution in which he is a teacher or examiner. (11) An Inspector may accept ordinary hospitality from, but may not accept hospitality of house and board from, examiners or from any officials of the Institution in which he is conducting an inspection.

## **Part X – Finance And Accounts**

### **59.**

The Council may receive, for the purpose of its expenses, benefactions and contributions from private persons and bodies and the proceeds of the sale of reports and other publication.

### **60.**

The Bankers of the Council shall be the Imperial Bank of India. All funds of the Council shall be paid into the Council's account with the Imperial Bank of India, New Delhi and shall be withdrawn by means of cheques signed by the Treasurer. The cheques shall also be countersigned by the President

of the Council or any other officer authorised by him in this behalf [\* \* \*] [Omitted by S.R.O. 1773, dated 15.10.1952]. The cheque books shall remain in the personal custody of the Treasurer.

**61.**

The funds of the Council surplus to current requirements may, on recommendation of the Treasurer and with the sanction of the Executive Committee, be invested in fixed deposits with the Imperial Bank of India or in any other manner as may be decided upon in consultation with the Central Government.

**62.**

An investment of the funds of Council shall be made in the name of the Council. The safe custody receipts shall remain in the personal charge of the Treasurer and shall be verified once in six months with the Register of Investments maintained under Regulation 72 and a certificate of verification shall be recorded by the Treasurer on the Register and countersigned by the President.

**63.**

The Treasurer shall prepare detailed estimates of the receipts and expenditure for the next financial year, and shall submit the same for the sanction of the Executive Committee at a meeting to be held for the purpose before the 1st November every year. One copy of the finally sanctioned estimates shall be supplied by the 1st November to the Secretary, Ministry of Health, Government of India.

**64.**

The funds of the Council shall not be appropriated for expenditure on any item which has not been duly sanctioned by the Council or by the President or Secretary, as the case may be.

**65.**

The primary units of appropriation shall be 'pay of officers', 'pay of establishment' allowances and honoraria', 'contingencies' and 'leave and pension or provident fund contribution.'

**66.**

The President shall have power to reappropriate funds from one unit of appropriation to another within the total sanctioned estimates. Copies of orders sanctioning such reappropriation shall be communicated to the Executive Committee.

**67.**

The Secretary shall have power to sanction expenditure of miscellaneous and contingent nature up to an amount not exceeding Rs. 200 in each case. Expenditure in excess of this amount shall require the sanction of the President.

**68.**

A permanent advance of Rs. 200 shall be made to the Secretary.

**69.**

The Secretary shall be the certifying officer for Travelling, Halting and other allowances to members, Inspectors and other employees of the Council and the President for those of the Secretary.

**70.**

The following account registers of the Council shall be maintained

**1. The Cash Book,**

**2. The Classified Abstract,**

**3. The Register of Investments,**

**4. The Register of Stock and furniture,**

**5. The Register of stock of cheque books,**

**6. The Register of leave and pension or provident fund contributions,**

**7. The Register of permanent advances,**

**8. Annual Accounts.**

**71.**

Monthly accounts shall be compiled in the Classified Abstract according to the primary units of appropriation. Suitable secondary units may be opened at the discretion of the Secretary who shall be responsible for the due preparation and maintenance of all accounts.



**72.**

(1)The audit of the accounts of the Council shall be conducted by a private firm of Registered Accountants.(2)The result of audit shall be communicated to the Executive Committee.(3)A copy of the Annual Audit Report shall be submitted by the Executive Committee to the Government of India in the Ministry of Health and to the members of the Council.

## **Part XI – Mode Of Elections**

**73.**

(1)Elections to the Council by the Inter-University Board shall be conducted in a manner prescribed in Appendix 'A' to the Regulations, if the elections are conducted by the post. In case the elections are held at a meeting of the Inter-University Board, the elections, on receipt of a requisition from the President of the Council, shall be conducted by secret ballot in accordance with the requirements prescribed in paragraph (1) of Appendix 'A' of the Regulations. In the event of a tie, the final elections shall be decided by drawing of lots and the result intimated to the President of the Council within fifteen days of the holding of the meeting.(2)Election of a member by the Medical Council of India under clause (c) of section 3 of the Act shall be conducted at a meeting of the Medical Council of India in accordance with the provisions contained in Appendix 'B'.(3)Election of a member to represent each Part A State elected by the member of each State Pharmacy Council under Clause (g) of Section 3 of the Act shall be made by the State Council at a meeting of that State Council on receipt of a requisition from the President of the Councils. If more than one nomination are received by the President of the State Pharmacy Council, the election shall be conducted by secret ballot. In the event of a tie, the President of the State Pharmacy Council shall have a second or casting vote. The result of the election shall be communicated to the President of the Council within ten days of the holding of the election.(4)The President and the Vice-President of the Council shall be elected at a meeting of the Council. The members shall first elect a Chairman to conduct the business who shall then call for nominations from among the members for the post of the President and the Vice-President. If more than one nominations are received for each of the posts of the President and the Vice-President, the Chairman shall conduct the elections by secret ballot. In the event of a tie, in either case, the final election shall be decided by drawing of lot. The election of the President shall be held first and thereafter that of the Vice-President.APPENDIX 'A'[See Regulation 73 (1)](1)The Inter-University Board shall elect six persons, among whom there shall be at least one teacher in each of the subjects, Pharmaceutical Chemistry, Pharmacy, Pharmacology and Pharmacognosy, from among persons on the teaching staff of Indian Universities of Colleges affiliated thereto which grant a degree or diploma in Pharmacy.(2)The Secretary of the Inter-University Board shall on receipt of a requisition from the President of the Council, issue a registered notice to each member of the Board calling for nominations for the seats referred to in paragraph (1) above. He shall, at the same time, fix a date, not later than [one month] [Substituted by S.O. 508, dated 16.2.1963] from the date of issue of the notice for nominations to be filed and supply the same to all members.(3)All nominaitons must be sent in a closed cover so as to reach the office of the Secretary, the Inter-University Board within the period fixed. Nominations received after the prescribed date will

not be considered.(4)Nominations must be made on the prescribed form to be supplied by the Secretary of the Board and must be signed and dated by the member making the nominations; otherwise they will be held to be invalid.(5)If an election becomes necessary the Secretary of the Board shall within ten days of the expiry of the period stated in paragraph (2) prepare and forward under registered cover to all members of the Board a list of the nominations received according to the following groups :(a)Teachers of Pharmaceutical Chemistry;(b)Teachers of Pharmacy;(c)Teachers of Pharmacology;(d)Teachers of Pharmacognosy;(e)Other nominees.The Secretary shall, at the same time, fix a date, not later than [one month] [Substituted by S.O. 508, dated 16.2.1963] from the date of issue of the list referred to above, for the receipt of voting papers and notify the same to all members.(6)Members shall record their votes on the list referred to in paragraph (5) above by putting a cross against the names of the candidates for whom they wish to vote. The list will then be returned to the Secretary of the Board in a closed cover so as to reach his office before the date mentioned in paragraph (5) above. The list will be signed and dated by the member recording the votes; otherwise the votes will be held invalid.(7)Every member shall have six votes. A member may, subject to the provision of paragraph (1), distribute the votes among the several candidates in such manner as he deems fit.(8)The lists containing the votes of members shall be kept in closed covers unopened until the time and date fixed for their scrutiny. Due notice of such time and date as also the place of scrutiny shall be given by the Secretary of the Board to all members who shall have a right to be present during the scrutiny.(9)On the said day the Secretary of the Board shall open the covers and scrutinise the lists and count the votes in the presence of any members who may be present. He shall then prepare a return of the votes obtained by each person in accordance with the classification laid down in paragraph (5) above and forward the same to the President of the Council without delay.(10)The person or persons who have obtained the highest number of votes subject to the provisions of paragraph (1) shall be declared to have been duly elected. Where two or more persons have obtained an equal number of votes, the election will be decided by drawing of lots in such manner as the President of the Council may consider advisable.(11)The result of the elections will be notified by the President of the Council.(12)Any question relating to the interpretation of these regulations, not being a dispute regarding an election shall be referred to the President of the Pharmacy Council of India whose decision on such question shall be final.APPENDIX 'B'[See Regulation 73 (2)](1)Election shall be by votes which shall be taken by show of hands or by division or by ballot, as the President of the Medical Council of India 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 hands a division shall be taken if a member asks for it.(2)The President of the Medical Council of India shall determine the method of taking votes by division.(3)The result of the vote shall be announced by the President of the Medical Council of India and shall not be challenged.(4)In the event of an equality of votes the President of the Medical Council of India shall have a second or a casting vote.