

Pharmacy Act, 1948

Pharmacy Act, 1948 – A Comprehensive Analysis

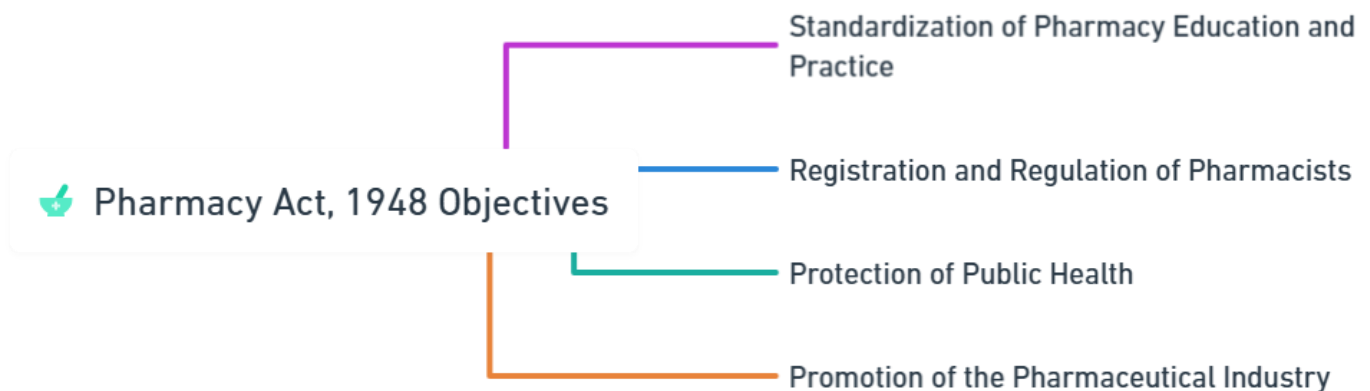
Introduction and Background

- The **Pharmacy Act, 1948** is a central legislation enacted by the **Parliament of India** to regulate the **profession of pharmacy** in the country.
- Prior to this Act, there were **no uniform standards** for the qualification and registration of pharmacists across India.
- The sale of drugs and medicines was largely unregulated, and unqualified individuals often dispensed drugs without proper knowledge or training, posing significant health risks to the public.
- This Act aims to establish professional, legal, and educational standards for pharmacists, ensuring that only qualified individuals are allowed to **practice pharmacy**, thereby safeguarding **public health and safety**.

Objectives of the Pharmacy Act, 1948

- The primary objectives of the Act are both **regulatory and developmental**.
- They aim to uplift the profession of pharmacy and safeguard consumer interests in drug use and distribution.

Key Objectives Include:



1. Standardization of Pharmacy Education and Practice:

- Ensure uniform standards in pharmacy education and training across the country.
- Promote professionalism and ethical practices among pharmacists.

2. Registration and Regulation of Pharmacists:

- Maintain a central register of qualified pharmacists.
- Facilitate the recognition and accreditation of pharmacy institutions.

3. Protection of Public Health:

- Ensure that only qualified individuals dispense medications, thereby safeguarding public health.

- Prevent the sale of counterfeit or substandard drugs.

4. Promotion of the Pharmaceutical Industry:

- Foster the growth of the pharmaceutical sector by ensuring a competent workforce.
- Encourage research and development in pharmacy sciences.

Legal Definitions under the Pharmacy Act, 1948

These definitions are provided in **Section 2** of the Act and are critical to understanding the scope and application of the law.

1. Pharmacist

- A "**pharmacist**" means a person who is **registered** under the Act.
- Only registered individuals can legally practice pharmacy or be involved in compounding, preparing, or dispensing medicines.

2. Approved Qualification

- A qualification recognized by the **Pharmacy Council of India (PCI)** for registration as a pharmacist.
- Includes Diploma in Pharmacy (D.Pharm), Bachelor in Pharmacy (B.Pharm), etc., obtained from **approved institutions**.

3. Central Council

- Refers to the **Pharmacy Council of India**, the apex body established under **Section 3** of the Act.
- It is responsible for:
 - Framing **Education Regulations**
 - Approving pharmacy institutions and courses
 - Inspecting pharmacy colleges

4. State Council

- Refers to the **State Pharmacy Council** constituted under **Section 19**.
- Maintains a register of pharmacists and handles state-level implementation.

5. Medical Practitioner

- A person registered under any law related to medical practice.
- The Act distinguishes pharmacists from medical practitioners to clarify roles.

6. Register

- A **public record** maintained by the State Council that includes names, addresses, and qualifications of registered pharmacists.

7. Registered Pharmacist

- A person whose name appears on the **State Register**.
- Only such individuals can use the title "Pharmacist" and perform duties related to the dispensing of drugs.

8. Education Regulations

- These are **standards set by the PCI** under Section 10 of the Act.
- They prescribe:
 - Minimum qualifications for entry to pharmacy courses
 - Duration and nature of courses
 - Practical training requirements

General Study of the Pharmacy Act – Key Provisions

- The Pharmacy Act, 1948, is divided into several sections that provide for the **structure**, **powers**, and **functions** of regulatory bodies, as well as procedures for **registration**, **disciplinary action**, and **education regulation**.

The Act is divided into several chapters. Here's a breakdown:

Chapter I: Introduction

- This chapter defines the **title**, **extent**, and **commencement** of the Act.
- The Act applies to the whole of India.

Chapter II: Pharmacy Council of India (PCI)

- Establishes the **Pharmacy Council of India (PCI)**.
- Functions include:
 - Framing **education regulations**.
 - Prescribing **minimum standards** of education.
 - Inspection of pharmacy institutions.
 - Approval of qualifications granted by institutions.

Chapter III: State Pharmacy Councils

- Provides for the constitution of **State Pharmacy Councils**.
- Functions:
 - Registration of pharmacists.

- Maintenance of the register.
- Disciplinary actions against unethical practices.

Chapter IV: Registration of Pharmacists

- Lays down the **qualifications required** for registration as a pharmacist.
- Includes provisions for **first-time registration, renewal, removal, and restoration** of names in the register.
- Provides **transitional provisions** for individuals already in practice before the enactment.

Chapter IV-A: Central Register

- Maintained by the PCI.
- A compilation of names of all registered pharmacists across states.

Chapter V: Miscellaneous

- Covers **penalties, inspection, power to make rules, and protection of actions taken in good faith.**
- Empowers both Central and State Governments to **make rules and regulations.**

Constitution and Functions of the Central Council (Pharmacy Council of India - PCI)

Constitution [Section 3]

- The Pharmacy Council of India (PCI) is the apex statutory body under the Act and is constituted by the Central Government.

It consists of:

1. Elected Members

- 6 members elected by **University authorities** (teaching pharmacy).
- 1 member elected by the **Medical Council of India.**

2. Nominated Members

- 6 members nominated by the **Central Government** from among pharmacists, medical practitioners, etc.

3. Ex-Officio Members

- **Director General of Health Services (DGHS)**
- **Drug Controller of India**
- **Director, Central Drugs Laboratory**
- **President of Medical Council of India**



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