

PUBLIC HEALTH DEPARTMENT

MISCELLANEOUS

August 5, 1955

PRELIMINARY

No. **4478/XVI (P H)**-905-51_In exercise of the powers conferred by clauses(b), (g), (h), (i), (j) and (k) of sub0station (2) of section 46 of the Pharmacy Act, 1948 (Act No. VIII of 1948), the Governor is pleased to make the following rules:

Rules for conducting the elections framed under clause (b) of sub section(2) of section 46 of the Pharmacy Act 1948,

1. These rules may be caused the Uttar Pradesh Pharmacy Rules.
2. In these rules unless there is anything repugnant in the subject or context:
 - (a) The expression "The Act" means "The Pharmacy Act, 1948.
 - (b) The expression :The Registrar" means the Registrar of the Pharmacists' Registration Tribunal, Uttar Pradesh or the Registrar appointed by the Council under section 26 of the Act.
 - (c) The expression "The Council" means the Uttar Pradesh Pharmacy Council constituted under section 19 of the Act.
 - (d) The expression "The Registrar" means the first register of Pharmacists prepared under section 30 and maintained under section 29 of the Pharmacy Act, 1948.
3. The office of the Council shall be situated Lucknow.

PART I

Mode of Election

4. In the case of nominated members, the President shall inform the State Government of the vacancy requesting them to fill the same.
5. (1) In the case of first election under section 19(a) of the Act the Registrar of the Registration Tribunal shall act as the Returning

Officer, In all other subsequent elections under the above said section, the President or any other person authorized by him in his behalf shall be the Returning Officer and such Returning Officer shall, some time not less than seventy days, nor more than ninety-eight days before the day on which the term of office of such members 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 Pharmacy Act. Issue a precept to the electorate concerned and shall publish in the *Gazette* notice inviting in **Form "A"** the submission of nominations.

(2) The President shall, with the previous approval of the Government, appoint dates for the following:

- (a) Last nomination day,
- (b) Scrutiny of nomination papers day,
- (c) The sending of voting papers under rule 6, and
- (d) The last day for receiving voting papers and the day for the counting of the votes.

(3) The dates, being approved, shall be notified in the State Government *Gazette* and in such other manner as the President may think fit.

6. (1) The following shall be the procedure adopted for filling up vacancies by the electorates:

- (a) A notice shall be published at least six months before the date on which it is proposed to hold elections inviting objections to the entries made in the register and calling upon persons claiming to be entered in the register to file objections or claims before the Registrar within twenty one days from the date of the publication of the notice.
- (b) The Registrar may, after hearing claims or objections, as the case may be, enter the name of the claimant in the register if he is satisfied that the claimant is entitled to registration under Section 33 of the Act, but his name has not been entered till then by oversight or remove the name of a member from the register if he finds that he has ceased to be a member due to his death or failure to pay the renewal fee or that orders for removal of his name have been passed by the Executive Committee under Section 36 of the Act.

(2) Copies of the Register of Pharmacists shall be made available for sale at a suitable price.

(3) Candidates 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. Provided also that if more nominations than are required to fill up the vacancy or vacancies be subscribed by the same elector, all nominations subscribed by him shall be held to be void.

(4) The candidate shall sign the nomination paper declaring that he is willing to serve on 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. 100 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 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 later than the date and time appointed for the scrutiny of nomination papers.

(7) On the day of the scrutiny of nomination papers the Returning Officer shall scrutinize the nomination papers received by him at a place and time appointed by the President on that date. 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 candidature may be withdrawn under sub-rule (8), the Returning Officer shall forthwith declare the names of the candidate whose nomination papers are held valid by him.

8. Any candidate may withdraw his candidature by notice in writing signed by him up to 12 o'clock on the fifth day from the Last Nomination day counting that day as the first day. Such notice shall 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 nomi-

nated does not exceed the number required to fill up the vacancy or vacancies, the Returning Officer shall forth with declare such candidate or candidates to be elected.

10. If more candidates than are necessary to fill up the vacancy of vacancies be nominated the Returning officer shall forth with publish their names and addresses in the *Government Gazette* of the State and otherwise as the Council shall deem fit, and shall further cause their names to be entered in the voting papers in the form as laid down in **Form "C"**.

11. Twenty-one days before the date as may be appointed by the President for the counting of votes, the Returning Officer shall send by post, under certificate of posting, to each elector one such voting paper in Form "C" 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 the signature column at the lower left corner and the address of the Returning Officer printed as under:

To

THE RETURNING OFFICER,
PHARMACY COUNCIL OFFICE.
UTTAR PRADESH, LUCKNOW.

12. An elector who has not received his voting paper and the connected papers sent by post or whose papers, before they are despatched back to the Returning Officer have been inadvertently spoiled in such manner that they cannot be conveniently used or who has lost his papers may, on his transmitting to the Returning Officer a declaration to that effect signed by himself require the Returning Officer to send him duplicate papers in place of those not received. Spoilt paper shall be returned to the Returning Officer who shall cancel them on its 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 said elector. The voting paper issued in such cases shall also be marked "Duplicate".

(13) Before the date appointed by the President for the counting of votes every elector desirous of recording his vote shall send his voting

paper to the Returning Officer after recording his vote thereon in the manner prescribed therein. Voting papers handed in personally by a voter will be accepted as valid. The Returning Officer shall keep the voting papers so 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 the counting of votes shall be rejected as also all those that do not conform to the rules.

(14) (a) The Returning Officer shall attend for the purpose of scrutiny and counting of votes at the date, time and place, appointed in this behalf.

(b) Any dispute which may arise during the scrutiny and counting of votes will be decided by the Returning Officer,

(15) When the counting of votes has 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, that 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.

(16) 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 lot to be drawn by the Returning Officer, and in such manner as the President or the person authorized by him in his behalf may determine.

(17) Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election and shall retain the same for a period of six months and thereafter cause them to be destroyed.

(18) The Returning Officer shall inform the President of the result of the election

(19) If any question arises as to the intention, construction or application of this rule or the validity of any election the Council shall

refer such question under section 24 of the Act to Government whose decision shall be final.

(20) If any difficulty arises in holding an election and in carrying out the provisions of this rule, it shall be lawful for the President to take such action or pass orders as it may appear to him necessary or expedient.

7. (1) The President and the Vice-President of the Council shall be elected at a meeting of the Council, when about to elect the President, the members 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 a 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. If more than two persons are nominated the candidate obtaining the lowest number of votes at the first ballot shall be eliminated until only two remain when the ballot shall be final except in the case of equality of votes. Provided that if one of the candidates secures more than 50 per cent 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.

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.

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 *Government Gazette* of the State. The notification of the election of member shall be read by the President and he shall then be introduced to the meeting by some member of the Council. The above procedure shall be adopted also in the case of nominated members.

PART II

The Registration

Rules for the Registration framed under clauses (g), (h), (j) and (k) of sub-section (2) of section 46 of the Pharmacy Act, 1948.

1. The Register of Pharmacists shall be maintained as required by sub-section (3) of section 29 of the Pharmacy Act, 1948 and as in Form "E".

2. The names shall be printed in the register in alphabetical order.

3. Each page of the register shall be verified by the Registrar's signature.

4. (1) On registration under the Act every pharmacist shall be granted by the Registrar a certificate as in Form "F".

(2) In the event of a registration certificate 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, 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. 5. Certificate issued under this sub-rule shall be marked "Duplicate".

5. Every person entitled under section 32 to be registered under the Act and desiring to have himself registered shall apply to the Registrar in the form prescribed (Form G) duly filled in and signed. Every such application shall be accompanied by the prescribed fee.

6. (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 of December of the year in which the registration is made.

(2) Any person desiring to continue his registration shall submit to the Registrar an application in Form "K) previous to 1st of April of the year to which it relates and shall forward with such application the prescribed fee and his registration certificate.

(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 of 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 date, 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 fees and penalty prescribed.

7. (1) An application for registration of an additional qualification under section 35 of the Act shall be in **Form "H"** and shall be accompanied by the fee prescribed.

(2) On registration of additional qualifications under sub-section 7 (1) the Registrar shall grant such pharmacist a certificate in **Form "I"**.

8. Any appeal to the Council against a refusal of the Registrar to register a qualification or to alter any entry in the register must state the grounds on which registration is claimed and furnish the names of the qualifications and the dates on which they were received. On receipt of such an appeal the Executive Committee shall conduct an enquiry and submit a report to the Council

9. Certified copies of entries in the register may be issued to any one on payment of the prescribed fee. These shall be issued in **Form "J"**.

10. (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 taken against him;
- (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, before 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 that person received the degree, Diploma or Certificate in respect of the holding whereof 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 applications 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 Chair the question.

Whether the Registrar shall erase the name (the applicant's name) from the Pharmacy Register.

11. The Registrar shall, as soon as may be after 1st day of April in each year, cause to be 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 interleaved copy of such printed list wherein he shall make during the year and till the next register is printed any entry, alteration or erasure that may be necessary.

12. (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 receives a death notice showing that the deceased belonged to the profession or calling the members of which are registerable under the Pharmacy Act, shall forth with notify the Registrar of the Council of such death.

13. 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 by registration during the year
- (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 III

Fees

Under clause (1) of sub-section (2) of section 46 of the Pharmacy Act, 1948, the following fees are prescribed. This modifies Government notification no. 8260/ XVI. (P. H.)-71-A-48, dated January 22, 1951

	Rs.
(1) For the first registration in the register	... 10
(2) For every qualification or status subsequently registered	... 2
(3) For restoration to the register after removal for non payments of annual retention fee in addition to the retention fee for the year or years during which the name remained removed	... 3
(4) For annual retentions	... 2
(5) For restoration to the register under section 37 of the Act	... 10
(6) For registration If a change of a name	... 3
(7) For every certified copy of an entry in the register	... 3
(8) For a duplicate certificate under rule 4 (2)	... 5

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.

SARVAJANIK SWASTHYA VIBHAG

JUNE 10, 1958

No. 3639/XVI(PH)-905-51,-In continuation of Public Health Department Miscellaneous notification no. 4478/XVI(P.H) 905-51 dated August, 5, 1955 and in exercise of the powers conferred by clauses (a) (c), (d) (e) and (f) of sub-section (2) of section 46 of the Pharmacy Act, 1948, (Act No. VIII of 1948), the Governor is further pleased to make the following rules :

1. In these rules unless there is anything repugnant in the subject or context :

(a) The expression "The Treasurer" means the Treasurer of the U. P. Pharmacy Council.

(b) The expression "The Executive Committee" means the Executive Committee constituted under section 27 of the Act.

2. The Registrar shall be responsible for the proper maintenance of all properties of the Council.

3. A stock register of its movable property shall be maintained by the Registrar.

4. The Registrar shall have a permanent advance of Rs. 100.

5. An account shall be opened in the State Bank of India, Lucknow, in the name of the Council and all money of the Council shall be deposited in that account.

6. (1) The Registrar shall receive all the monetary payments payable to the Council and shall grant a receipt therefore in the form as in Appendix 'A',

(2) The Registrar shall deposit the amounts thus received by him once in a fortnight or earlier, if necessary.

7. All cheques on the State Bank of India, Lucknow, shall be signed by the Registrar as Treasurer of the Council.

8. The Registrar shall immediately enter in a general cash-book all the sums received or spent by the Council.

9. The accounts of the Council shall be audited annually by the Examiner, Local Fund Accounts, U.P.

10. Every year in the month of July the Registrar shall, under the direction of the President, prepare a statement of the income and expenditure of the out-going financial year ending the 31st Day of March, and shall draw the attention of the Council to such matters in connection therewith as may seem deserving of notice.

11. The Registrar shall be authorised to purchase any one article not exceeding Rs. 20 in value. No. expenditure exceeding Rs. 20 shall be incurred and no article, the value of which exceeds Rs. 20, shall be purchased without the previous sanction of the President.

12. 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. 20 and the bill be otherwise in order, the Registrar shall pay the amount. If the claim be for a sum exceeding Rs. 20 payment shall not be made until it has been examined and passed by the President.

13. An endorsement in the following manner shall be made on every bill when it has been paid :

Voucher No.

Date of payment.

14. In the month of September each year an estimate of the income and expenditure of the Council for the next financial year shall be prepared which shall be laid before the next meeting of the Council.

15. Such estimate shall make provision for the fulfilment of the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, the anticipated grant from Government besides the anticipated income from registration and other sources.

16. The Council shall consider the estimates so submitted to it and shall sanction the same either unaltered or subject to such alteration/alterations as it may deem fit.

17. 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 such 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 provided for in the budget or in a supplementary budget estimate.

18. Meeting of the Council:- The Council shall ordinarily meet twice in a calendar year on such dates and places as may be fixed by the President.

Provided that the President:-

(i) may call for a special meeting at any time after giving not less than fifteen day's notice for consideration of any urgent matter, requiring the attention of the Council ;

(ii) shall call a special meeting after giving not less than fifteen day's notice, if he receives a requisition in writing signed by not less than six members stating the purpose, which should be within the scope of the Council's functions, for which they desire the meeting to be called

19. At the meetings referred to in the provisos to rule 18 only the subject or subjects for the consideration of which the meeting has been called shall be discussed unless the Council by a resolution determines otherwise.

20. References from the State Government asking for the opinion of the Council should be considered at the next ordinary meeting of the Council unless marked urgent. In the latter case a special meeting of the Executive Committee may be summoned to consider the reference.

21. Notice of every ordinary meeting shall be sent to every member of the Council by the Registrar not less than forty days before the date of the meeting.

22. The President, in consultation with the Registrar, shall prepare the agenda of the meeting containing the subjects to be brought forward and the notices of motions given by members. The Registrar shall distribute the agenda to all the members of the Council not less than twelve days before the date of such meeting,

23. All notices of motions must reach the Registrar not less than twenty-eight days before the date fixed for a meeting and a copy of such motion shall then be sent by the Registrar to all members not less than twenty-one days before the date of the meeting :

Provided that the President may, if the Council agrees, allow a motion, which has not been included in the agenda, to be discussed at any time:

Provided further that nothing in this rule shall prevent the reference by the Executive Committee of any matter to the Council, at a meeting following immediately or soon after the meeting of the Executive Committee.

24. (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; or

(b) if it raises substantially the same question as a motion or amendment which has been moved and rejected or with-drawn with the leave of the Council, within one year preceding the date of the meeting at which it is proposed to be moved :

Provided that nothing in these rules shall be deemed to prevent the further discussion of any matter referred by the State Government to the Council in the exercise of any of its functions under the Act; or

(c) if it is not clear and precise or does not raise substantially :

(d) if it contains inferences, ironical expressions or defamatory statements.

(2) The President shall disallow any motion which in his opinion is not admissible under sub-rule (1):

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

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

25. A roll book shall be kept by the Registrar in which each member attending a meeting shall enter his name on the date of such attendance.

26. If after the notices calling a meeting have been issued, it becomes necessary or advisable in the opinion of the president that the date fixed for the meeting should be changed, the President may postpone the meeting to any other date not more than ten days after the date originally fixed for the meeting and the Registrar shall issue to each

member of the Council fresh notices stating the new date fixed for the meeting. Such notice shall be issued not less than one week before the date originally fixed for the meeting.

27. In the event of the business to be disposed off at a meeting not being finished by 4 p. m. on the first day of the meeting, the President may adjourn the meeting till the following day and from day to day, Sundays excepted, till the business before the meeting is finished.

28. (1) The President may adjourn at any time any meeting or any business to any future day or to any hour of the same day.

(2) When any meeting is adjourned to a future day, other than as provided for in rule 27, the Registrar shall send notice of adjournment to each member who was not present at such meetings.

(3) When any meeting has been adjourned to a future day, other than as provided for in rule 27, the President may change such date to any other date, and the Registrar shall send notice of the change to each member.

29. Conduct of business at meetings of the Council: -

(i) 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 some other person who is elected by the members present, from among themselves. The President of the meeting so elected may exercise all the powers of the President of the Council when presiding at a meeting.

(ii) Six members of the Council shall form a quorum, Provided that in the case of a meeting adjourned for want of a quorum, no quorum shall be required.

30. A meeting shall not commence until a quorum is formed and if a quorum is not formed on the expiry 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 fix.

31. (i) All matters which may come before a meeting of the Council shall be decided by a majority of the votes of the members present and voting. Every motion shall require to be moved by a member and seconded by another member.

(ii) Votes shall be taken by voice, by show of hands or by ballot, as the President may direct:

Provided that votes shall be taken by ballot if not less than three members so desire and ask for it:

Provided further that if voting has been by show of hands or by voice, a division shall be allowed if any member asks for it.

(iii) The result of the votes shall be announced by the President and shall be final and binding.

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

32. In all cases where a division has taken place, any member may require that the number or the names or both the names and numbers of the majority and the minority of the members voting for or against the motion or refraining, from voting, may be entered in the minutes ; and thereupon the required particulars shall be so entered.

33. 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.

34. (i) A motion or amendment which is not seconded, shall be deemed to have been lost.

(ii) When a motion has been seconded, it shall be stated from the Chair.

(iii) When a motion has thus been stated, it may be discussed as a question to be resolved either in an affirmative or in the negative or any member may, subject to rules 35, and 36, 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 rule 24 or is, in his opinion, frivolous.

35. An amendment must be relevant to and within the scope of the motion and should not have merely the effect of a negative vote.

36. A motion may be amended by the :-

(a) Omission, insertion or addition of words,

(b) Substitution of words for any of the original words.

37. Each amendment which is admitted, shall be discussed and put to vote.

38. If and when all the amendments have been negatived, the original motion shall be discussed and put to vote.

39. If any amendment is carried through, the original motion so amended shall be regarded as a substantive motion and shall be discussed and put to vote.

40. If, during discussion, any member desires to obtain information from another member relating to the business before the meeting he shall do so through the President.

41. Information regarding action taken by the President on resolutions passed by the Council may be asked for in a open meeting, but previous notice of not less than four weeks shall be given in such cases.

42. (1) When the motion is under debate, no proposal with reference thereto shall be made other than a proposal for..

(a) An amendment of the motion;

(b) Adjournment of the debate either to a specified date or a specified hour or sine die; provided that the President may refuse to put the proposal before the Council,

(c) Closure of the discussion.

(d) Passing on to the next item on the Agenda.

(2) No motion of the nature referred to in clauses (b), (c) and (d) of sub-rule (1) shall be moved or seconded by a member who has already spoken on the question.

(3) Unless the President is of the 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 shall allow the mover of the substantive motion to reply to the debate before the substantive motion is put to Vote.

43. A motion or an amendment which has been moved and seconded shall not be withdrawn save with the consent of the members present.

44. 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.

45. (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 unless he is permitted by the President to do so, for the purpose of making a personal explanation or for eliciting information or any point from 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) The President shall regulate the time of speeches as he may deem fit.

(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.

46. (1) A member, desiring to make any observations on the matter before the Council shall address the President.

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

(3) No Member shall be heard except on the business then before the Council.

47. (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 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 up.

48. When any motion involving several point 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 deem fit.

49. (1) At an adjourned meeting any motion standing over from the previous day shall, unless the President otherwise directs, take precedence over any other matter on the agenda."

(2) 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 members present agree, such a change shall take place.

(3) No matter, which was not on the agenda of the original meeting, shall be discussed at an adjourned meeting.

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

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

MINUTES OF THE COUNCIL

51. The proceedings of the meeting of the Council shall be preserved in the form of printed minutes which shall be authenticated, after confirmation, under the signature of the President.

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

53. (a) Objections, if any, regarding the correctness of the minutes, may be sent to the Registrar within thirty days of the despatch of the proceedings by him to the members.

(b) Objections which are not received within the time specified in clause (a), shall not be considered.

54. If any objection, regarding the correctness of the minutes is received within thirty days of the despatch of the minutes by the Registrar, 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 record of proceedings of the meetings.

55. The minutes of the Council shall as soon as may be 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.

56. No member of the Council shall without previous approval of the President publish a report of the Proceeding of any meeting of the Council in any news paper or journal.

Powers and Duties of the President and Vice-President.

57. The President shall do such acts as may be necessary for the furtherance of the objects for which the Council is established and shall give effect to the Resolutions and decisions of the Council. The President shall preside at every meeting of the Council at which he is present and shall perform such other functions and exercise such other powers as may be assigned to him.

58. (a) The Vice-President shall exercise such powers and perform such duties as may be assigned to him by the President.

(b) 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.

59. Executive Committee :- (a) The Executive Committee shall consist of five members –

(b) The President and the Vice-President shall be Ex-officio members of the Executive Committee and the remaining three members shall be elected.

60. The President and in his absence the Vice President shall act as Chairman of the Executive Committee. In the absence of both, the members present shall elect one of themselves to act as Chairman.

61. For a meeting of the Executive Committee three members shall form a quorum. No quorum shall be necessary for an adjourned meeting.

62 If at the time appointed for a meeting a quorum is not complete the meeting shall not commence until a quorum is completed and if a quorum is not completed on the expiry of thirty 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 Chairman may appoint.

63. The meeting of the Executive Committee shall be generally governed by the rules applicable to the meetings of the Council.

64. In the case of a vacancy in the Executive Committee which may occur during a recess, the President may co-opt a member of the Council to fill the vacancy until the next meeting of the Council which shall elect one of his members, to be a member of the Executive Committee.

65. (a) The Executive Committee may invite a member of the Council not being a member of the Executive Committee, to attend any of its meetings.

(b) Any member so invited shall be free to participate in the discussions in the meeting but shall not be entitled to vote or to exercise any other right.

66. The executive Committee shall meet at such place and such time as the Chairman of the executive Committee may determine.

67. The Executive Committee shall consider explanations from registered persons for contravening the provisions of the Act, rules and the Code of ethics.

68. The Executive Committee shall also consider and prepare a report on any subject that may be referred to it by the Council or by the President. The Registrar shall keep minutes of the proceedings which shall as far as possible be circulated among the members of the Council.

Provided that the papers may not be circulated among the members, if the interval between the meeting of the Executive Committee and the Council is of not more than 24 hours.

69. The Registrar and other officers and servants of the Council The Registrar shall perform such duties and exercise such powers as may be assigned to him under the Act or the rules. 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 generally perform 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 the meetings of the Council and the Executive Committee.

70. Subject to the approval of the President, the Registrar shall appoint the ministerial and other staff and may engage such temporary personnel as may be required from time to time and pay a reasonable remuneration to such personnel provided it does not exceed the rates sanctioned by the President for corresponding permanent staff.

71. The Registrar shall have authority and exercise control over the staff. The duties of the various categories of the staff will be such as may be assigned by the President and the Registrar.

72. The staff shall not be entitled to pension but permanent employees will be allowed the benefit of Contributory Provident Fund, rules of which are given in the Appendix "B"

73. The Registrar and other employees of the Council shall be granted leave and travelling allowance in accordance with the Fundamental Rules and Subsidiary Rules framed by the State Government there under.

74. The President shall be authorised to grant leave to the Registrar.

75. The Registrar shall be authorised to grant leave to other employees of the Council and appoint substitutes in their places.

76. (a) An appeal against the order of the Registrar rejecting an application for registration shall be made to the Council in writing stating the grounds on which registration was claimed.

(b) On receipt of such an appeal, it shall be referred to the Executive Committee of the Council for consideration and report.

(c) The Executive Committee shall have the power to call for the original diploma or license, etc. from the applicant for inspection and also such other documentary or oral evidence as may be considered necessary by it.

(d) At the conclusion of its enquiry the Executive Committee shall make a report to the Council embodying such recommendations as it may think fit and shall give reasons for the recommendations.

(e) The appeal, the Executive Committee's report on it, and all other documents in connection with the case shall be laid before the Council at its next meeting.

(1) The date on which the appeal is to be taken up by the Council shall be notified to the appellant. The appellant shall also be

allowed, if he so chooses, to represent his case before the Council either by himself or through a recognised agent.

77, If the name of any Pharmacist, has been entered in the register of Pharmacists by error or on account of misrepresentation or suppression of material facts and intimation to this effect is received by the Registrar he shall submit this information to the President for necessary action. If the President is satisfied as to the truth of the allegation, he will refer the matter to the Executive Committee for consideration and it shall have power to call for any evidence which it considers necessary.

The person concerned will be entitled to be present and heard. Due notice for this shall be given to the person concerned. The person concerned shall also be entitled to represent his case through a recognised agent.

78. If information is received in writing or otherwise by the office of the Council that a registered Pharmacist or a person employed by him for the purposes of his business of pharmacy has been convicted of any offence as mentioned in section 36 (ii) and (iii) of the Act or that the registered pharmacist has been guilty of any infamous conduct in any professional respect, or that a person employed by him for the purposes of his business of pharmacy has been guilty of conduct which *prima facie* would constitute infamous conduct in any professional respect if such person were a registered pharmacist, the Registrar shall make an abstract of such information he may have subsequently obtained.

79. (1) Where the information in question is in the nature of a complaint by a Person or body charging the registered pharmacist with infamous conduct in any professional respect such complaint shall be made in writing addressed to the Registrar, stating the grounds thereof and shall be accompanied by one or more declarations as to the facts of the case.

(2) Every such declaration shall contain the description and the actual place of abode of the declarant, and where a fact stated in a declaration is not within the personal knowledge of the declarant, the source of the information and grounds for the belief of the declarant in its truth shall be accurately and fully stated.

(3) The extract 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 necessary, instruct the Registrar to ask the Registered Pharmacist by means of a registered letter for any explanation he may have to offer. The

document including any explanation offered by the Pharmacist to the Registrar shall then be referred to the Executive Committee which shall consider the same and shall have power to cause further Investigation to be made and further evidence to be taken and if necessary to obtain legal or other advice. If the Committee is of the opinion that a prima facie case has not been made out, the case shall be dropped and the Registrar shall inform the complainant, if any, of the resolution of the Committee. If the Committee is of the opinion that the circumstances suggest that a letter of warning be sent to the Pharmacist, the Committee is empowered to send it. If the Committee resolves 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.

(4) An enquiry directed under rule (3) 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 intends to hear the case and shall call upon him to answer the charge in writing and to attend before the Executive Committee. The notice shall ordinarily be as in Appendix (c) with such variations as circumstances may require and shall be sent at least three weeks before the date of hearing.

The Registrar shall also inform the complainant of the date so appointed when the case is one under sub-rule (1) of rule 79.

80. (1) Any answer, evidence or statement forwarded or application made by the pharmacist between the date of the issue of the notice and the date specified for the hearing of the case shall be dealt with by the President in such manner as he thinks fit.

(2) All material documents which are to be laid before the Executive Committee as evidence in regard to the case shall be printed or typed and a copy thereof shall be furnished to each member of the Executive Committee before the hearing of the case.

81. (1) At the hearing of the case by the Executive Committee the pharmacist and where the case is under sub-rule (1) of rule 80 also the complainant, may be represented or assisted by a legal practitioner.

(2) The Executive Committee may, if it considers necessary, employ a lawyer to advise it in the conduct of the case.

82. Where in a case under sub-rule (1) of rule 80 the complainant appears personally or by a legal practitioner the following shall be the order of procedure.

(1) The Registrar shall read to the Executive Committee the notice of the enquiry addressed to the pharmacist.

(2) The complainant shall then be invited to state his case by himself or by a legal practitioner and to produce evidence in support of it.

(3) The pharmacists shall then be invited to state his case by him self or by a legal practitioner and to produce his evidence in support of it. He may address the Executive Committee either before or at the conclusion of his evidence but only once.

(4) At the conclusion of the pharmacists case the Executive Committee shall, if the pharmacist has produced evidence. hear the complainant in reply on the case generally, but shall allow no further evidence except in any special case in which the Executive Committee shall think fit to allow 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 cross-examined by the opposite party, and then re-examined if necessary, by the party producing him. The Executive Committee may decline to admit in evidence any declaration, where the declarant is not present or declines to submit to cross-examination

(6) The President and the lawyer, where any is employed by the Executive Committee, may put question to any witness. A member of the Executive Committee may also put questions to any witness but such question shall be put through the President.

83. 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 evidence by which it is supported.

(2) The pharmacist shall then be invited to state his case by him-

self or by a legal practitioner and to produce his evidence in support of it. He may address the Executive Committee either before or at the conclusion of the evidence he produces, but only once.

(3) The lawyer to the Executive Committee when one is employed, may be heard in reply if the Executive Committee so desires.

84. The Executive Committee may, if it thinks it to be necessary, adjourn the hearing or further hearing of a case to another date, and inform accordingly the pharmacist and the complainant, if any when they are present; and when they are not present or when the date to which the hearing or further hearing is adjourned is not fixed forthwith, the Registrar shall intimate to them such date by letter to be sent by registered post at least twenty eight days before that date.

85. (1) Upon the conclusion of the hearing, the Executive Committee shall deliberate in private and at the conclusion of the deliberation, the President shall call upon the members of the Executive Committee present to cast their votes on the following questions according to the nature of the charge, namely:

(a) Whether the pharmacist or a person employed by him for the purposes of his business of pharmacy has been convicted of the offence stated in the charge;

(b) Whether the pharmacist has been guilty of any infamous conduct in a professional respect; and

(c) Whether the conduct of a person employed by him for the purposes of his business of pharmacy has been such as would constitute infamous conduct if such person were a registered pharmacist, while considering this question the Executive Committee will take into consideration the provisions of the proviso to section 36 of the Act.

(2) If the majority of the members present (including the President who shall have a casting vote in the case of a tie) vote in the negative, the pharmacist shall be cleared of the charge.

(3) If the majority of the members present vote in the affirmative the Executive Committee shall proceed to consider the punishment to be imposed. Such punishment may be either removal of the name from the register permanently or for a specified period, or simply issue of a warning or censure to the pharmacist:

Provided that when the charge is that the pharmacist has been convicted of an offence, the Executive Committee may in consideration of the nature of offence, refrain from imposing any punishment.

(4) When the decision taken under sub-rule (3) is for removal of the name of the pharmacist from the Register, the Executive Committee shall order that the name be removed accordingly, after the same has been confirmed by the State Council.

86. The Registrar shall upon the removal of any name from the Register, forthwith send notice of such removal to the pharmacist by a registered letter addressed to the last known address or to the registered address of the pharmacist. The Registrar shall also send forthwith intimation of any such removal to the licensing authority under the Drugs Act, 1940 XXIII of 1940), and also the Dean or Secretary or other pro per officer of any Body or bodies from which the pharmacist has received his qualification or qualifications.

87. The Executive Committee may also remove from the Register of pharmacists the name of any person who 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 are likely to be taken against him.

88. On receipt of reliable information regarding the death of a Registered pharmacist the Registrar shall remove the name of the deceased person from the Register of Pharmacists.

89. Application for restoration to the register of a name removed under Section 36 of the Pharmacy Act, 1948, shall not be entertained till after the next session of the State Council following that in which the order of removal is confirmed.

90. Any person whose name has been removed from the register but who still possesses a qualification entitling him to be registered under the said Act, may make an application to 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 State Council duly signed by the applicant. He should also state therein 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 originally registered, and

(b) one of the following documents :

(i) Applicant's diploma, or

(ii) his certificate of registration in original if the same has not been already surrendered by him in accordance with the provisions of sub section (5) of section 36 of the Pharmacy Act, 1948, or

(iii) a certificate in form L appended to these rules from two pharmacists registered under the said Act as to his identity.

(3) The statement in the application shall also be verified by certificates in writing to be given by two pharmacists registered under the said Act who live in the neighbourhood of the place where the applicant had 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 State Council, the Registrar shall notify the same to the Bodies whose qualifications 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 the State Council intends to consider the same.

(5) The State 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 to in sub-rule (3) above shall be in forms 'M' and 'N' appended to these rules, with such variations as circumstances may require. Printed Forms shall be kept by the Registrar who shall supply them to intending applicants.

FORM "A"

RULE 5 (1) OF THE ELECTION RULES

Notice of Election

Election of a member or members to the Uttar Pradesh

State Pharmacy Council

Notice is hereby given pursuant to the provisions of rule 3 of the Election Rules of the Uttar Pradesh State Pharmacy Council that the election of a member or members of the Uttar Pradesh State Pharmacy Council to serve during the period expiring day of is to be held.

Nominations 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" of the rules giving all the details required therein.

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

Nomination papers in respect of which provisions of the rules have not been complied with, or which are not received by the Returning Officer by the aforesaid date will be invalid.

Returning Officer.....

Address.....

Date

FORM "B"

RULE 6 (3) OF THE ELECTION RULES

Form of Nomination Paper

***Election of a member or members to the Uttar Pradesh 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 Uttar Pradesh State Pharmacy Council at the forthcoming election.

Name.....

Signature.....

Address.....

Registration no.....

Date.....

We, the undersigned, second the proposal of Sri.....

Name.....

Signature.....

Address.....

Registration no.....

Date.....

Name.....

Signature.....

Address.....

Registration no.....

Date.....

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

Name.....

Signature.....

Address.....

Registration no.....

Date.....

(a) State name and address.

(b) State registration number.

Instructions

Nomination papers which are not received by the Returning Officer at his office at Lucknow, before a.m./noon/p.m. on the day of, 19 , will be invalid.

FORM "C"

RULE 6 (10) OF THE ELECTION RULES VOTING PAPER

Serial No.

Election of a member or members to the Uttar Pradesh

State Pharmacy Council

Election of * -----members

Serial No.	Names of candidates	Address	Registration no.	Column for voters marks (X)
---------------	---------------------	---------	---------------------	-----------------------------------

*Number of candidates to be elected.

† Names to be printed in alphabetical order.

Instructions

1. Each voter has-----votes.
2. He shall vote by placing the mark 'X' apposite the names of the candidates whom he prefers.
3. The voting paper shall be invalid if the mark X' is placed opposite the names of more candidates than are to be elected or if the mark/marks 'X' is/are so placed as to render it doubtful to which candidate/candidates it/they is/are intended to apply.
4. The elector shall enclose the voting paper in the identification cover and then enclose that cover in a bigger cover in the left hand lower corner of which the elector shall write his full name and signature. If the elector fails to write his full name and signature the voting paper shall be invalid.
5. A voting paper will be invalidated if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration thereon duly completed.
6. Every elector shall send his voting paper in a separate cover direct to the Returning Officer.
7. If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
8. If more than one mark is placed before the name of any candidate the whole voting paper will be disqualified.
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 (11)

Form of declaration on identification envelope

Uttar Pradesh State Pharmacy Council. I, (a).....
of....., hereby declare that I am the person to whom the
enclosed voting paper was addressed, that I am registered Pharmacist
(b).....and that I have not returned any other voting
paper in this election.

Returning Officer.....

Address.....

.....

.....

Date

Signed in presence of (c).....

1. Signature

2. Signature.....

(a) Insert full name.

(b) Insert Register Number.

(c) There must be two witnesses.

FORM "E"

RULE 1 OF THE REGISTRATION RULES

Form of 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
11. Date of renewal of registration
12. Remarks (Note removal or restoration of names with dates)

FORM "F"

RULE 4 (1) OF THE REGISTRATION RULES, UTTAR PRADESH

Pharmacists' Registration Certificate

Seal

No.-----Lucknow dated.....

This is to certify that Sri _____ son of _____
address _____ has been duly registered as a Registered
Pharmacist under clause () of section () and is entitled to all the privileges
granted under authority of the Act to regulate the practice of Pharmacy in the
State of Uttar Pradesh, being Act no. VIII of 1948.

In witness whereof are herewith affixed the Seal of the Uttar Pradesh
Pharmacy Council and the signature of the Registrar of the said Pharmacy
Council.

Seal.

Registrar.

***Note-This Certificate is the property of Uttar Pradesh State
Pharmacy Council, Lucknow and is issued to the above named
pharmacist in accordance with rule 4 (1) of the Uttar Pradesh State
Pharmacy Council Rules.***

Notice

1. Every Registered Pharmacist should send to the Registrar immediate
notice of any change in his registered address and also to answer all enquiries
that may be sent to him by the Registrar in regard thereto, in order that his
correct address may be duly inserted in the Register of Pharmacists.

2. All persons who are registered are legally qualified for the practice of
Pharmacy.

3. Every Registered Pharmacist should renew his registration annually
before the 1st day of April every year according to the provisions of section 34
of the Pharmacy Act, 1948.

The Registration Certificate is
renewed up to

Signature of
the Registrar

FORM "G"

RULE 5 OF THE REGISTRATION RULES

Form of Application for Registration as a Pharmacist

**(This modifies Government notification no. 8260 (1)/XVI (P.H.) 71-A-48,
dated January 22, 1951.)**

(Under Section 32 of the Pharmacy Act)

(To be filled in by the applicant himself)

Dated.....21

To

THE REGISTRAR,

STATE PHARMACY COUNCIL, UTTAR PRADESH,

LUCKNOW.

SIR,

I beg to request that my name may be registered under the Pharmacy Act, 1948 and I may be furnished with a certificate of registration.

2. The information necessary for registration is specified below :

3. The registration fee of Rs. 10)- (Rupees ten) only is sent by money order (Vide M. O. Receipt No.....dated.....of..... Post Office)

4. The diplomas or certificates which I possess are enclosed here with in original, together with a true copy of each. The original may please be returned when done with.

5. In the event of my registration and in consideration thereof, I promise to be bound by the rules and regulations already framed or to be framed hereafter from time to time by the Pharmacy Council of Uttar Pradesh.

6. I undertake to surrender my registration certificate on demand or on the removal of my name from the register, or on failing to get my registration certificate renewed.

Yours faithfully,

Specimen signature

Signature.

Particulars and information to be furnished by the applicant.

(To be filled in by the applicant himself)

1. Applicant's name in full (In Block Capital Letters).
2. Place, date, month and year of birth.

3. Father's name (in full).

4. Full postal residential address.

5. Full postal professional address.

6. Nationality.

7. Domicile. If the Indian domicile has been acquired recently, state when and where it was acquired.

8. If you are not an Indian national, does the country where you acquired your qualifications permit persons of Indian origin possessing qualifications of that country to enter and practice the profession of Pharmacy there. If so, quote section or rule under which this is permitted in that country.

9. Description of qualifications for which registration is required:

Qualification (with the years in which acquired)	Name of Examining Body which awarded it	College, School, Hospital or other Institution or concern where trained	Training	
			Commenced on date	Ended on date

10. (a) Date from which practising in Uttar Pradesh.

(b) Whether employed in or attached to Government or State aided institution. If so, state its name, address and the date from which employed.

11. Basic educational qualifications, before joining the training of pharmacy

Signature of the applicant

FORM "H"

RULE 7 (1) OF THE REGISTRATION RULES

Application for Registration of Additional Qualifications

To

THE REGISTRAR,

UTTAR PRADESH STATE PHARMACY COUNCIL,

LUCKNOW.

SIR,

I beg to apply for the Registration of the additional qualifications of..... which I have obtained fromin The Diploma or Certificate of the qualifications with copies thereof are enclosed herewith. These may be returned as soon as done with.

I am already registered under the Pharmacy Act, 1948 and my registration no. is.....

The prescribed fee of Rs. 2 is sent herewith.

Yours faithfully,

Name

Father's name

Signature of the applicant

Address

Date

FORM "I"

RULE 7 (2) OF THE REGISTRATION RULES

Registration of Additional Qualifications

(Under section 35 of the Pharmacy Act, 1948.)

The additional Diplomas/Certificates appearing below have been inserted in the Register of Pharmacists for the Uttar Pradesh against the name of Sri/Srimati.....

Registration no.

Diplomas or

Certificates already

registered

Diplomas or Certificates

Now registered

Registrar

Signature of the applicant

APPENDIX 'A'

.....(See Rule 6 (1)

Book No. Book No.

Serial No. Serial No.

Uttar Pradesh Pharmacy Council Uttar Pradesh Pharmacy Council
Office, Lucknow Office, Lucknow

.....

Dated the Dated the

Received from Received from

.....

the sum of Rs. the sum of Rs.

on account of on account of

.....

Rs. Rs.

Registrar

Registrar

APPENDIX 'B'

(See Rule 72)

Provident Fund Rules for the employees of the Uttar Pradesh Pharmacy Council

1. In the following rules:

(1) "Salary" includes all fixed monthly allowances by way of pay or personal allowances, but does not include allowances granted to meet specific expenditure such as travelling or conveyance allowances or house-rent allowances whether paid on daily, monthly or yearly basis.

(2) "Servant" includes every employee holding a substantive appointment in the office of the Uttar Pradesh Pharmacy Council.

Explanation:--An employee on probation in a substantive appointment shall not be considered a servant for the purposes of the these rules until he is confirmed.

(3) "Depositor" means a servant on whose behalf a deposit is made under these rules.

(4) "Interest" means the interest which is paid on deposit in a Government Savings Bank under the rules in force for such institutions..

(5) "Council" means the Uttar Pradesh Pharmacy Council established under the Pharmacy Act, 1948 (Act no. VIII of 1948)

2. Every servant appointed or promoted on or after December 14, 1956 to an appointment in the office of the Council the salary of which is not less than Rs. 10 a month, shall be required, unless specially exempted by the President of the Council, to subscribe at the rate of Rs. 6-4-0 percent, or one anna in the rupee on his salary to a provident fund of which a conjoint account will be opened at the post office Savings Bank in the official name of the President of the Council. A servant, who was so appointed or promoted before December 14, 1956, shall also be required, unless specially exempted by the President of the Council, to subscribe to the fund. The deduction shall be made by the Council from every salary bill presented and shall be credited at once to the fund. In calculating this deductions fraction of a rupee of salary should be omitted.

3. The Council shall make a contribution to the deposit account of each depositor equal to the amount of the deduction made from his salary under the preceding rule. Such contribution shall be credited to the fund month by month in favour of such servant, together with the deduction from salary.

4. A provident Fund ledger (**Form I** appended to these rules) shall be maintained in the office of the Council. The amount deducted monthly from each depositor's salary under rule 2 and the monthly contribution referred to in rule 3, shall be entered at once in the provident fund ledger, and the amount so entered shall be duly paid into the Post Office Savings Bank to the credit of the depositor in the conjoint account referred to in rule 2, Payment into the Post Office Savings Bank should, whenever possible, be made between the 1st and 4th day of each month in order that interest may accrue thereon.

5. No subscription or contribution shall be made to the Provident Fund during the period a servant is on leave without pay.

6. As soon as possible after the close of a financial year and after the interest has been added by the Post Office in the Savings Bank conjoint account pass-book a copy of the account of each depositor shall be furnished to him in Form II appended to these rules. net

7. No servant shall be eligible to receive any part of or share in any sum contributed by the Council on his behalf unless he has been in the service of the Council for atleast twelve months and has, in the event of resignation, been permitted by the President of the Council to resign his appointment

8. No servant of the Council, who shall in the opinion of the President of the Council, be guilty of dishonesty or other gross misconduct shall, except with the approval of the Council, be eligible to receive any part of or share in any sum contributed by the Council on his account or any accumulated interest or profits thereof. The Council shall be entitled to recover as the first charge from the amount, for the time being at the credit of a servant a sum equal to the amount of any loss or damage at any time sustained by the Council by reason of the servant's dishonesty or negligence.

9. (a) If a servant is dismissed, the Council may withhold all or any part of the contribution made by it to his account together with the interest accrued thereon, and pay to the servant only the balance at his credit without such contribution and interest thereon.

(b) Except as provided in rules 8 to 10, the balance above referred to is not liable to forfeiture on dismissal or on conviction for an offence.

10. If at the time of the resignation, transfer, dismissal or death of a servant there are outstandings of the Council against him, the Council may deduct the amount of such outstandings from his deposits, and pay him the balance, if any.

11. Any contribution and interest thereon withheld from a servant under rules 7, 8, 9 or 10 shall belong to the Council and shall be withdrawn from the Savings Bank conjoint Account and credited to the funds of the Council.

12. In the event of a depositor's death before retirement or after retirement but before the money has been handed over, the amount at his credit shall, subject to rules, 7, 8, 9 and 10, be distributed among such persons as may be named in the declaration of the servant (Form III appended to these rules) which should be made when the first deposit is made in the fund account of the servant. A depositor may from time to time change his nominee or nominees by written applications to the Registrar of the Council.

13. On a depositor leaving the service of the Council, his account shall be closed and unless the amount at his credit is withdrawn within six months, the account shall be written off as a dead account and the amount shall be paid only under the orders of the President of the Council.

14. When an account becomes dead it shall be closed in the Provident fund ledger, the money being drawn out of the Savings Bank conjoint account and credited in the cash-book as a miscellaneous receipt. If the amount is subsequently claimed, the entries in the cash-book and the provident fund ledger shall be traced out and orders of the President of the Council obtained. When payment is made the fact of the payment and reference to the order, shall be made against the entry in each account book to avoid double payment.

15. A conjoint post Office Savings Bank Account shall be opened in the official name (designation) of the president of the Council. The Savings Bank deposit book shall be kept for safe custody in the office safe. Withdrawals from the conjoint account shall be made on requisition signed by the President of the Council.

16. Notwithstanding anything contained in the above rules, when the pecuniary circumstances of a depositor are such that a concession is a matter of absolute urgent necessity, a temporary advance not exceeding three months pay may be allowed by the president of the Council from the conjoint Savings Bank Account, provided that the amount advanced does not exceed the amount actually at the credit of the depositor concerned. The following may be recognised as legitimate occasions for advances

(a) to pay expenses incurred in connection with the illness of a subscriber or a member of his family,

(b) to pay expenses in connection with marriages, funerals or ceremonies which by the religion of the subscriber It is incumbent upon him to perform and in connection with which it is obligatory that expenditure should be incurred. When a subscriber has taken advance no second advance shall be granted to him unless the amount already advanced has been fully paid up.

17. Advances will be recovered in not less than 12 instalments or more than 24. A subscriber may however, at his option make repayment in less than 12 instalments or may repay two or more instalments at the same time Recoveries shall be made monthly commencing from the first payment of a full months salary after the advance is granted, but no recovery shall be made from a subscriber while he is on leave without pay. The instalments shall be recovered by compulsory deductions from salary and will be in addition to the usual subscription. Each instalment of recovery shall not be less than 1/24th of the total amount advanced and all instalments shall on recovery be at once paid into the conjoint Savings Bank Account.

18. Every servant entitled to the benefit of the Provident Fund shall be required to sign a written declaration that he has read these regulations and agrees to abide by them.

FORM I
Provident Fund Ledger
(SEE RULE 4 OF APPENDIX, 'B')

[illegible]

FORM II
(SEE RULE 6 OF APPENDIX, 'B')

Name of depositor

Provident Fund Savings Bank Account for the year ending.....

Savings Bank Account No.	Amount of credit at the close of previous year		Total Contributions by depositor during the year		Total Contributions by Pharmacy Council during the year		Interest allowed by Saving Bank during the year		Total of Columns 2,3,4 and 5		Withdrawal during the year		Balance at credit of depositor at the close of the year		Remarks	
1	2		3		4		5		6		7		8		9	
	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

Forwarded to

No.....

Dated the

Registrar,
Uttar Pradesh Pharmacy Council

FORM III
(SEE RULE 12 OF APPENDIX, 'B')
Form of Declaration

I hereby declare that in the event of my death the following persons shall be entitled to receive payment of the amount at my credit in the Provident Fund Account of the State Pharmacy Council in the proportions noted against their names and I make this my will so far as regards such deposit. I also request that the amount payable as above to minors be paid to the persons named below:-

name and address of nominee		Sex of the nominee		Relationship with the subscriber		Whether major or minor if minor state age		Share of deposit Payable		Name and address of the person to whom share is to be paid on behalf of minor		Sex and parentage of person referred to in previous column	
1		2		3		4		5		6		7	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.

First witness

Second witness.....

Signature of the Depositor

Date the19.

APPENDIX 'C'
(See Rule 79 (4))

Notice to a Pharmacist to attend proceedings for removal of his name from the Pharmacists Register under section 36 of the Pharmacy Act, 1948.

Sir,

On behalf of the Executive Committee of the State Pharmacy Council, I give you notice that the information and evidence have been laid before the Executive Committee by which the complaints make the following charge against you, namely (here set out the circumstances briefly) and that in relation thereto you have been guilty of infamous conduct in a professional respect.....

Or that you were on theday of convicted of the following offence(set out particulars of the conviction).

And I am directed further to give you notice that on theday ofa meeting of the Executive Committee will be held ato'clock in theto consider the abovementioned charges against you, and decide whether or not they should direct your name to be removed from the Register, pursuant to section 36 of the Pharmacy Act, 1948. You are invited and required to answer in writing the above charges and to attend before the Executive Committee at the abovementioned date and time and place to establish any denial or defence that you may have to make up to the abovementioned charges and you are hereby informed that if you do not attend as required the Executive Committee may proceed to hear and decide the said charges in your absence.

Any answer or other communication or application which you may desire to make respecting the said charges of defence thereto must be addressed to the Registrar of the Council and transmitted so as to reach him not less than days before the day appointed for the hearing of the case.

Registrar.

FORM 'L'
(Vide rule 90 (2) (b) (iii))
Certificate in support of application

I hereby certify that the 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 number.....

FORM 'M'
(Vide rule 90 (6))

Application for restoration of name in the Register of Pharmacists under section 36 of the Pharmacy Act, 1948.

To

THE REGISTRAR,

UTTAR PRADESH PHARMACY COUNCIL,

LUCKNOW

(1) I, the undersigned, (a) now holding the qualification of (b)

do solemnly and sincerely declare that the following are the facts of my case and contain the grounds on 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 qualification, namely, (d) and on the date of the removal of my name hereinafter mentioned I was registered in respect of the same qualifications (e) and also in respect of the following additional qualifications, namely,

(3) At an enquiry held on the (f) day of the council directed, my name to be removed from the Register on a of 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)

Register I have been residing at (i)

(4) Since the removal of my name from the, and my occupation has been

(5) It is my intention if my name is re-entered in the Register (1)

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

Signed.

Declared at on before me.

Presidency Magistrate

or

Commissioner of Oaths or Justice
of the Peace

.....

- (a) Insert full name.
- (b) Insert qualifications, if any.
- (c) Insert date.
- (d) Insert original qualifications.
- (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 with circumstances.
- (j) Insert particulars as to proposed future professional occupation.
- (k) All facts and grounds on which the application is made should be clearly and concisely stated.

.....

FORM 'N'
(Vide Rule 90 (6))
Certificate in support of application
of

I,

Certify as follows:

- (i) My Registration no, is
- (ii) I have read paragraphs (4) and (5) of the application of

and say that I have been and am well acquainted with the said both before and since his name was removed from the Register, that I believe him 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.

Address:

.....
.....

(Signature)

Registration number.....

RULES FRAMED UNDER SECTION 26 (d) OF THE
PAHRMACY ACT, 1948.

The Travelling and Halting Allowances of members of the Uttar Pradesh Pharmacy Council shall be paid in accordance with the provisions of the fundamental Rules (Financial Hand book, Volume II), all non-official members being treated as officers of the first class.

The travelling and halting allowance of Government servants serving as members of the Uttar Pradesh Pharmacy Council will be governed by the rules applicable to the in as Government servants.

By order,
L. M. BHATIA, Sachiv