**Constitution and Composition of Central Council:-**The Central Government shall, as soon as may be, constitute a Central Council consisting of the following members, namely: -

(a)six members, among whom there shall be at least one teacher of each of the subjects, pharmaceutical chemistry, pharmacy, pharmacology and pharmacognosy elected by the [**1**](http://www.pci.nic.in/pharmaact_chapter2.html#1)[University Grants Commission] from among persons on the teaching staff of an Indian University or a college affiliated thereto which grants a degree or diploma in pharmacy;

(b) six members, of whom at least [**2**](http://www.pci.nic.in/pharmaact_chapter2.html#2)[four] shall be persons possessing a degree or diploma in, and practising pharmacy or pharmaceutical chemistry, nominated by the Central Government;

(c) one member elected from amongst themselves by the members of the Medical Council of India;

(d)the Director General, Health Services, ex officio or if he is unable to attend any meeting, a person authorized by him in writing to do so;

 [**3**](http://www.pci.nic.in/pharmaact_chapter2.html#3)[(dd) the Drugs Controller, India, ex officio or if he is unable to attend any meeting, a person authorised by him in writing to do so;]

(e) the Director of the Central Drugs Laboratory, ex officio;

 [**4**](http://www.pci.nic.in/pharmaact_chapter2.html#4)[(f) a representative of the University Grants Commission and a representative of the All India Council for Technical Education;]

(g) one member to represent each[**5**](http://www.pci.nic.in/pharmaact_chapter2.html#5)[\*\*\*] State elected [**6**](http://www.pci.nic.in/pharmaact_chapter2.html#6)[from amongst themselves] by the members of each State Council, who shall be a registered pharmacist;

(h) one member to represent each [**5**](http://www.pci.nic.in/pharmaact_chapter2.html#5)[\*\*\*] State nominated by [**7**](http://www.pci.nic.in/pharmaact_chapter2.html#7)[the] State Government, who shall be [**8**](http://www.pci.nic.in/pharmaact_chapter2.html#8)[\*\*\*] a registered pharmacist:

 [**9**](http://www.pci.nic.in/pharmaact_chapter2.html#9)[Provided that for five years from the date on which the Pharmacy (Amendment) Act, 1976, comes into force the Government of each Union territory shall, instead of electing a member under clause (g) nominate one member, being a person eligible for registration under section 31, to represent that territory.]

 [**10**](http://www.pci.nic.in/pharmaact_chapter2.html#10)[\*\*\*]

**4. Incorporation****of Central Council:-**

The Council constituted under section 3 shall be a body corporate by the name of the Pharmacy Council of India, having perpetual succession and a common seal, with power to acquire and hold property both movable and immovable, and shall by the said name sue and be sued.

**5. President****and Vice-President of Central Council:-

(**1) The President and Vice-President of the Central Council shall be elected by the members of the said Council from among themselves.

 [**11**](http://www.pci.nic.in/pharmaact_chapter2.html#11)[\*\*\*]

(2) [**12**](http://www.pci.nic.in/pharmaact_chapter2.html#12)[The President] or Vice-President shall hold office as such for a term not exceeding five years and not extending beyond the expiry of his term as member of the Central Council, but subject to his being a member of the Central Council, he shall be eligible for re-election:

 [**13**](http://www.pci.nic.in/pharmaact_chapter2.html#13)[Provided that if his term of office as a member of the Central Council expires before the expiry of the full term for which he is elected as President or Vice-President, he shall, if he is re-elected or re-nominated as a member of the Central Council, continue to hold office as President or Vice-President for the full term for which he is elected to such office.]

**6. Mode****of elections:-**Elections under this Chapter shall be conducted in the prescribed manner, and where any dispute arises regarding any such election it shall be referred to the Central Government whose decision shall be final.

**7. Term****of office and casual vacancies:-**(1) Subject to the provisions of this section, a nominated or elected member [**14**](http://www.pci.nic.in/pharmaact_chapter2.html#14)[\*\*\*] shall hold office for a term of five years from the date of his nomination or election or until his successor has been duly nominated or elected, whichever is longer.

(2) A nominated or elected member may at any time resign his membership by writing under his hand addressed to the President, and the seat of such member shall thereupon become vacant.

(3) A nominated or elected member shall be deemed to have vacated his seat if he is absent without excuse, sufficient in the opinion of the Central Council, from three consecutive meetings of the Central Council or if he is elected under clause (a), (c) or (g) of section 3, if he ceases to be a member of the teaching staff, Medical Council of India or a registered pharmacist, as the case may be.

(4) A casual vacancy in the Central Council shall be filled by fresh nomination or election, as the case may be, and the person nominated or elected to fill the vacancy shall hold office only for the remainder of the term for which the member whose place he takes was nominated or elected.

(5) No act done by the Central Council shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Central Council.

(6) Members of the Central Council shall be eligible for re-nomination or re-election.

[**15**](http://www.pci.nic.in/pharmaact_chapter2.html#15)**[8. Staff****remuneration and allowances:-**

The Central Council shall-

(a) appoint a Registrar who shall act as the Secretary to that Council and who may also, if deemed expedient by that Council, act as the Treasurer thereof;

(b) appoint such other officers and servants as that Council deems necessary to enable it to carry out its functions under this Act;

(c) require and take from the Registrar, or any other officer or servant, such security for the due performance of his duties as that Council may consider necessary, and

(d) with the previous sanction of the Central Government, fix-

(i) the remuneration and allowances to be paid to the President, Vice-President, and other members of that Council,

(ii) the pay and allowances and other conditions of service of officers and servants of that Council.]

**9. The Executive****Committee:-**(1) The Central Council shall, as soon as may be, constitute an Executive Committee consisting of the President (who shall be Chairman of the Executive Committee) and Vice-President, ex officio, and five other members elected by the Central Council from amongst its members.

(2) A member of the Executive Committee shall hold office as such until the expiry of his term of office as member of the Central Council, but, subject to his being a member of the Central Council, he shall be eligible for re-election.

(3) In addition to the powers and duties conferred and imposed upon it by this Act the Executive Committee shall exercise and discharge such powers and duties as may be prescribed.

[**16**](http://www.pci.nic.in/pharmaact_chapter2.html#16)**[9A. Other****Committees:-**

(1) The Central Council may constitute from among its members other committees for such general or special purposes as that Council may deem necessary and for such periods not exceeding five years as it may specify, and may co-opt for a like period persons, who are not members of the Central Council, as members of such committees.

(2). The remuneration and allowances to be paid to the members of such committees shall be fixed by the Central Council with the previous sanction of the Central Government.

(3) The business before such committees shall be conducted in accordance with such regulations as may be made under this Act.]

**10. Education****Regulations:-**

(1) Subject to the provisions of this section, the Central Council may, subject to the approval of the Central Government, make regulations, to be called the Education Regulations, prescribing the minimum standard of education required for qualification as a pharmacist.

(2) In particular and without prejudice to the generality of the foregoing power, the Education Regulations may prescribe-

(a) the nature and period of study and of practical training to be undertaken before admission to an examination;

(b) the equipment and facilities to be provided for students undergoing approved courses of study;

(c) the subjects of examination and the standards therein to be attained;

(d) any other conditions of admission to examinations.

(3) Copies of the draft of the Education Regulations and of all subsequent, amendments thereof shall be furnished by the Central Council to all State Governments, and the Central Council shall before submitting the Education Regulations or any amendment thereof, as the case may be, to the Central Government for approval under sub-section (1) take into consideration the comments of any State Government received within three months from the furnishing of the copies as aforesaid.

(4) The Education Regulations shall be published in the Official Gazette and in such other manner as the Central Council may direct.

(5) The Executive Committee shall from time to time report to the Central Council on the efficacy of the Education Regulations and may recommend to the Central Council such amendments thereof as it may think fit.

**11. Appli****cation of Education Regulations to States:-**At any time after the constitution of the State Council under Chapter III and after consultation with the State Council, the State Government may, by notification in the Official Gazette, declare that the Education Regulations shall take effect in the State:

Provided that where no such declaration has been made, the Education Regulations shall take effect in the State on the expiry of three years from the date of the constitution of the State Council.

**12. Approve****d courses of study and examinations:-**(1) Any authority in a State [**17**](http://www.pci.nic.in/pharmaact_chapter2.html#17)][\*\*\*] which conducts a course of study for pharmacists may apply to the Central Council for approval of the course, and the Central Council, if satisfied, after such enquiry as it thinks fit to make, that the said course of study is in conformity with the Education Regulations, shall declare the said course of study to be an approved course of study for the purpose of admission to an approved examination for pharmacists.

(2) Any authority in a State [**17**](http://www.pci.nic.in/pharmaact_chapter2.html#17)[\*\*\*] which holds an examination in pharmacy may apply to the Central Council for approval of the examination, and the Central Council, if satisfied, after such enquiry as it thinks fit to make, that the said examination is in conformity with the Education Regulations, shall declare the said examination to be an approved examination for the purpose of qualifying for registration as a pharmacist under this Act.

(3) Every authority in the State [**17**](http://www.pci.nic.in/pharmaact_chapter2.html#17)[\*\*\*] which conducts an approved course of study or holds an approved examination shall furnish such information as the Central Council may, from time to time, require as to the courses of study and training and examination to be undergone, as to the ages at which such courses of study and examination are required to be undergone and generally as to the requisites for such courses of study and examination.

**13. Withdrawal****of approval:-**(1) Where the Executive Committee reports to the Central Council that an approved course of study or an approved examination does not continue to be in conformity with the Education Regulations, the Central Council shall give notice to the authority concerned of its intention to take into consideration the question of withdrawing the declaration of approval accorded to the course of study or examination, as the case may be, and the said authority shall within three months from the receipt of such notice forward to the Central Council through the State Government such representation in the matter as it may wish to make.

(2) After considering any representation which may be received from the authority concerned and any observations thereon which the State Government may think fit to make, the council may declare that the course of study or the examination shall be deemed to be approved only when completed or passed, as the case may be, before a specified date.

**14. Qualifications****granted outside the territories to which this Act extends:-**

The Central Council, if it is satisfied that any qualification in pharmacy granted by an authority outside the [**18**](http://www.pci.nic.in/pharmaact_chapter2.html#18)[territories to which this Act extends] affords a sufficient guarantee of the requisite skill and knowledge, may declare such qualification to be an approved qualification for the purpose of qualifying for registration under this Act, and may for reasons appearing to it sufficient at any time declare that such qualification shall be deemed [**19**](http://www.pci.nic.in/pharmaact_chapter2.html#19)[subject to such additional conditions, if any ,as may be specified by the Central Council,] to be approved only when granted before or after a specified date:

Provided that no person other than a [**20**](http://www.pci.nic.in/pharmaact_chapter2.html#20)[citizen of India] possessing such qualification shall be deemed to be qualified for registration unless by the law and practice of the State or Country in which the qualification is granted, persons of Indian origin holding such qualification are permitted to enter and practise the profession of pharmacy.