



PHARMACY COUNCIL OF INDIA

(Constituted under the Pharmacy Act, 1948)

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NEW DELHI – 110 020

Ref.No.14-56/2021-PCI | 9560-63

75 MAR 2022

To

1. The Secretary / Commissioner (Health, Technical Education), State Governments
2. All Examining Authorities
3. Admission making Authorities
4. All Pharmacy Institutions approved u/s 12 / conduct of course.

Subject: Pharmacy Act, 1948 shall only prevail with regard to recognition of degrees and diplomas in pharmacy.

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- Reference:** i) *Judgement dt.5.3.2020 passed by Hon'ble Supreme Court of India in Transfer Petitions (Civil) Nos. 87-101 of 2014.*
ii) *14-56/2019-PCI (A)/9851-55 dt. 11.3.2020.*
iii) *14-56/2021-PCI/7246-48 dt. 27.1.2022.*

Sir / Madam,

1. The Pharmacy Council of India (PCI) is a statutory body functioning under the Ministry of Health and Family Welfare, Government of India, New Delhi, to regulate the pharmacy education and profession in the country.
2. The Hon'ble Supreme Court of India in its judgement dated 5.3.2020 in Transfer Petitions (Civil) Nos. 87-101 of 2014 between Pharmacy Council of India and Dr S K Toshniwal Educational Trusts and Others etc. has passed a judgement upholding that the Pharmacy Act, 1948 shall only prevail with regard to recognition and / or approval of pharmacy courses / pharmacy institutions / intake capacity and degrees and diplomas in pharmacy. The said judgement is available on Council's website www.pci.nic.in

3. The para 21 of the said judgement is quoted below -

“ In view of the above and for the reasons stated above, it is held that in the field of Pharmacy Education and more particularly so far as the recognition of degrees and diplomas of Pharmacy Education is concerned, the Pharmacy Act, 1948 shall prevail. The norms and regulations set by the PCI and other specified authorities under the Pharmacy Act would have to be followed by the concerned institutions imparting education for degrees and diplomas in Pharmacy, including the norms and regulations with respect to increase and/or decrease in intake capacity of the students and the decisions of the PCI shall only be followed by the institutions imparting degrees and diplomas in Pharmacy”.

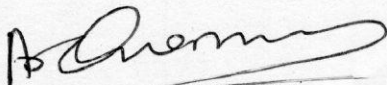
4. The statutory provisions of the following Education Regulations framed u/s 10 of the Pharmacy Act, 1948 clearly prescribe that no authority (person, institution, society, trust or University etc.) shall start, conduct and/or increase admission to the pharmacy courses without prior approval of the PCI -

1. Regulation 9 of Pharm D Regulations, 2008.
2. Regulation 9 Bachelor of Pharmacy (B.Pharm) Course Regulations, 2014.
3. Regulation 4 of Master of Pharmacy (M.Pharm) Course Regulations, 2014.
4. Regulation 6 of the Bachelor of Pharmacy (Practice) Regulations, 2014.
5. Regulation 8 of Education Regulations, 2020 for Diploma Course in Pharmacy.

The above Regulations are already available on Council's website under the tab "Rules/Regulations & Syllabus" and are self explanatory.

5. In view of above, the concerned authorities are advised to strictly follow the norms and standards prescribed by the Pharmacy Council of India for various pharmacy courses and no admission shall be made or intake be increased to any pharmacy course(s) without prior approval of the Pharmacy Council of India.
6. This is for information and strict compliance.

Yours faithfully


(ARCHANA MUDGAL)
Registrar-cum-Secretary