

Minutes of 02.328th Executive Committee (EC) meeting of the Council held on 4th & 5th June, 2020 (33rd Online).

A G E N D A I T E M S

02.328.001: Consolidated Appeal Cases.

(Online Application 2020-2021)

- 1.1 The latest information on record was placed.
- 1.2 The decisions are enclosed from **Appendix-A to G.**

02.328.010: Consideration of Order dt. 21.5.2020 passed by Hon'ble High Court of Andhra Pradesh at Amaravati in Writ Petition No.8995 of 2020 filed by St.Mary's Group of Institutions, Guntur Chebrolu Village, Chebrolu Mandal, Guntur Distt -522 212 (Andhra Pradesh) (S/160)

F.No. 32-887/2019-PCI (PCI-2386)

- 10.1 The latest information on record including order dt.21.5.2020 passed by Hon'ble High Court of Andhra Pradesh at Amaravati in Writ Petition No.8995 of 2020 was placed and considered alongwith the following facts -
 - a) Judgement dt.5.3.2020 passed by Hon'ble Supreme Court of India in Transfer Petitions (Civil) Nos. 87-101 of 2014.
 - b) Council's mail dt.26.3.2020 seeking information in pursuance of Hon'ble Supreme Court judgement dt.5.3.2020.
 - c) reply dt.24.4.2020 received from the institution.
- 10.2 It was noted that -
 - a) Hon'ble High Court vide above cited order has directed the PCI to consider the request of the petitioners in accordance with the law, at the earliest and preferably within a period of two weeks from the date of receipt of a copy of the order.
 - b) the PCI did not receive the Writ Petition.
- 10.3 The matter was threadbarely discussed and it was noted that -
 - a) the Hon'ble Supreme Court of India in its judgment dt.5.3.2020 has 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".

- b) the said judgment further directed the concerned institutions who increased their intake capacity as approved by AICTE and their increase in intake capacity was not approved by PCI, shall apply afresh for increase in intake capacity and/or evening shift for the next academic year within a period of four weeks from the date of judgment and their cases for increase in intake capacity and/or applications for recognition and/or applications for approval of the course or evening shift shall be considered by the PCI in accordance with the Pharmacy Act, 1948 and rules and regulations framed therein and the norms prescribed by the PCI.
- c) pursuant to above judgment, the PCI vide mail dt.26.3.2020 sought information from the institution.
- d) the institution vide letter dt.24.4.2020 submitted the reply.

10.4 In view of the judgment dt.5.3.2020 passed by Hon'ble Supreme Court, statutory provisions of various Education Regulations framed by the PCI u/s 10 of the Pharmacy Act, 1948 and order dt.21.5.2020 passed by Hon'ble High Court of Andhra Pradesh (Amaravati) it was noted and decided as under –

(A) Regarding D.Pharm Course

(a) It was noted that

- i. Diploma in Pharmacy course (D.Pharm) is regulated by the statutory provisions of the Education Regulations, 1991 for Diploma course in Pharmacy.
- ii. The PCI does not grant approval above 60 admissions in D.Pharm course.
- iii. Hon'ble Supreme Court in its judgement dt 05.03.2020 has upheld that norms, standards and regulations with regard to intake capacity of students and decision of PCI shall only be followed.

(b) In view of above, it was decided as under-

since the institution has now submitted an affidavit in its appeal for D.Pharm course, it was decided to grant approval for the conduct of 1st year D.Pharm course for 2020-2021 academic session for 60 admissions subject to following conditions –

- above approval is subject to submission of consent of affiliation of Examining Authority for starting of the above pharmacy course(s) before making admission.
- no admission shall be made without submission of consent of affiliation of Examining Authority to PCI.
- in case the consent of affiliation of Examining Authority is not obtained and submitted to PCI before making admissions, the above approval granted by the PCI shall be deemed to be withdrawn and consequences thereof shall rest on the institution and the PCI in no way shall be responsible for the same.

(B) Regarding B.Pharm Course

- (a) It was noted that
- i. with regard to intake in B.Pharm course, Regulation-5. of “The Bachelor of Pharmacy (B.Pharm) Course Regulations, 2014” mandates that number of admissions in B.Pharm course shall be as prescribed by the PCI from time to time.
 - ii. the admissions to B.Pharm Course are restricted to 100 as prescribed under the Scheme framed under Regulation 9(1) of the said Regulations.
 - iii. Hon’ble Supreme Court in its judgement dt 05.03.2020 has upheld that norms, standards and regulations with regard to intake capacity of students and decision of PCI shall only be followed.
- (b) In view of above it was decided to reiterate the decision of 109 CC (April, 2020) as under:
- To grant approval to B.Pharm course upto 2022-2023 academic session for 100 admissions.

(C) Regarding M.Pharm Course

- (a) It was noted that
- i. Regulation-23.(1) of the “The Master of Pharmacy (M.Pharm) Course Regulations, 2014” mandates that the ratio of recognized Postgraduate teacher to number of students to be admitted for the Postgraduate degree course shall be 1:3 to the extent that in no circumstances more than 15 students for Postgraduate degree shall be registered in a department / specialization in one academic year.
 - ii. The Regulation-9. of the said Regulations prescribes the nomenclature of Postgraduate pharmacy courses which shall be as prescribed under Appendix-A to these Regulations.
 - iii. As per regulation 20.1(b) of the Masters of Pharmacy (M.Pharm) Course Regulations, 2014, only those teachers who possess at least five years teaching experience after passing M.Pharm/Pharm.D course or three years teaching experience after Ph.D shall be recognized by the Pharmacy Council India as post graduate pharmacy teachers.
 - iv. Hon’ble Supreme Court in its judgement dt 05.03.2020 has upheld that norms, standards and regulations with regard to intake capacity of students and decision of PCI shall only be followed.
 - v. The institution has applied for following M.Pharm (specialization)
 - M.Pharm (Pharmaceutics)
 - M.Pharm (Pharmacology)
 - M.Pharm (Pharmaceutical Analysis)

- vi. The inspection report of March, 2020 and compliance dt. 24.04.2020 has reflected that compliance report dt. 24.04.2020 submitted by the institution does not indicate the teaching experience of teaching staff as per regulation 20.1 (b) of M.Pharm Course Regulations.
- vii. The institution has failed to appoint and submit compliance regarding appointment of prescribed teaching staff with prescribed teaching experience.

(b) Hence in the light of statutory provisions of M.Pharm regulations, the approval to following M.Pharm (specializations) is granted.

M.Pharm (Pharmaceutics)	-	15
M.Pharm (Pharmaceutical Analysis)	-	09
M.Pharm (Pharmacology)	-	06

10.5 With regard to the already admitted students pursuant to interim order passed by Hon'ble High Court, it was decided to process the matter as per the judgment dated 5/3/2020 passed by Hon'ble Supreme Court of India.

02.328.011: Consideration of institution email dtd. 28.5.2020 regarding change of hospital and closure of Pharm.D (PB) course and M.Pharm (Pharmacognosy) conducted at Faculty of Pharmaceutical Sciences (Karnataka).
(Formerly PES College of Pharmacy) Hanumantha Nagar B S K first Stage Bengaluru)

PCI-1565
50-68/2015(A)

11.1 The latest information on record was placed.

11.2 The following corrigendum be issued -

- It was noted that 326 EC (April, 2020) has already approved the Pharm.D course upto 2020-2021 academic session for 30 admissions.

11.3 It was further decided to -

- a) approve the change of hospital –

From	To
BGS Global Hospitals, BGS Health & Education City, #67, Uttharahulli Road, Kengeri, Bangalore – 560 060	Rangadore Memorial Hospital, 1 st Cross, Shankarapuram, Basavanagudi Bengaluru -560004 Karnataka

- b) approve the closure of Pharm.D (PB) and M.Pharm (Pharmacognosy).

02.328.015: Consolidated Additional Appeal Cases.-----
(Online Application 2020-2021)

15.1 The latest information on record was placed.

15.2 The decisions are enclosed as **Appendix-H**.**2.328.016:** Consideration of request received from institutions regarding placing their name on the PCI website under category of under section 12 for already approved earlier batches.-----
(F.No. PCI-2987/2020-PCI)
(F.No. PCI-2860/2020-PCI)
(F.No. PCI-524/2020-PCI)
(F.No. PCI-408/2020-PCI)
(F.No. PCI-96/2020-PCI)
(F.No. PCI-2763/2020-PCI)

16.1 The latest information on record was placed.

16.2 The decision is as under:-

Sr.No./ F.No.	Name of Inst.	328 EC decision (4th and 5th June, 2020)
1. PCI- 2860	Annasaheb Dange College Of B Pharmacy Ashta Tal Walwa Dist Sangli 416301 D.Pharm	The latest information on record including the appeal was placed and considered. It was decided to grant approval to the D.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 in respect of 60 students admitted during 2018-2019 academic session as certified by the Examining Authority, as one time arrangement without citing a precedence.
2. PCI-524	Dinesh Bembade College of Pharmacy (Diploma), At Post Mahalangra, Tq. Chakur, Dist. Latur D.Pharm	The latest information on record including the appeal was placed and considered. It was decided to grant approval to the D.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 in respect of 50 students admitted during 2017-2018 academic session as certified by the Examining Authority, as one time arrangement without citing a precedence.

Sr.No./ F.No.	Name of Inst.	328 EC decision								
PCI-408	Dayanand Education Society's Dayanand Colleges of Pharmacy Barshi Road, Latur, Tal & Dist., Latur-413 531(Maharashtra) D.Pharm	The latest information on record including the appeal was placed and considered. It was decided to grant approval to the D.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 in respect of 60 students admitted during 2018-2019 academic session as certified by the Examining Authority, as one time arrangement without citing a precedence.								
PCI-96	Anand Charitable Sanstha's College of Pharmaceutical Science and Research, Ashti (B. Pharmacy) Address: Gangai Nagar, Murshadpur, Ashti, Tal-Ashti, Dist-Beed, State-Maharashtra B.Pharm	The latest information on record including the appeal was placed and considered. It was decided to grant approval to the B.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 as certified by the Examining Authority, as one time arrangement without citing a precedence for the under mentioned students only <table border="1" data-bbox="597 1066 1065 1289"> <thead> <tr> <th>Session of adms.</th> <th>No. of adms.</th> </tr> </thead> <tbody> <tr> <td>2016-2017</td> <td>75</td> </tr> <tr> <td>2017-2018</td> <td>54</td> </tr> <tr> <td>2017-2018 Direct second year</td> <td>23</td> </tr> </tbody> </table>	Session of adms.	No. of adms.	2016-2017	75	2017-2018	54	2017-2018 Direct second year	23
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PCI-2987	Padmini College Of Pharmacy AT-EKTANAGAR POST-DIGHANCHI TAL- ATPADI DIST- SANGLI 415315 D.Pharm	The latest information on record including the appeal was placed and considered. It was decided to grant approval to the D.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 in respect of 60 students admitted during 2018-2019 academic session as certified by the Examining Authority, as one time arrangement without citing a precedence.								

Sr.No./ F.No.	Name of Inst.	328 EC decision														
PCI- 2763	Dr Rajendra Gode Institute Of Pharmacy, 04, University-Mardi Road, Near Heart Hospital, Amravati, 444602 D.Pharm & B.Pharm	<p>The latest information on record including the appeal was placed and considered.</p> <p>It was decided to grant approval to the D.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 as certified by the Examining Authority, as one time arrangement without citing a precedence for the under mentioned students only</p> <table border="1" data-bbox="597 590 1024 716"> <thead> <tr> <th>Session of admns.</th> <th>No. of admns.</th> </tr> </thead> <tbody> <tr> <td>2017-2018</td> <td>50</td> </tr> <tr> <td>2018-2019</td> <td>60</td> </tr> </tbody> </table> <p>It was decided to grant approval to the B.Pharm course and examination u/s 12 of the Pharmacy Act, 1948 as certified by the Examining Authority, as one time arrangement without citing a precedence for the under mentioned students only</p> <table border="1" data-bbox="597 951 1024 1178"> <thead> <tr> <th>Session of admns.</th> <th>No. of admns.</th> </tr> </thead> <tbody> <tr> <td>2017-2018</td> <td>48</td> </tr> <tr> <td>2018-2019</td> <td>99</td> </tr> <tr> <td>2018-2019 Direct second year</td> <td>09</td> </tr> </tbody> </table>	Session of admns.	No. of admns.	2017-2018	50	2018-2019	60	Session of admns.	No. of admns.	2017-2018	48	2018-2019	99	2018-2019 Direct second year	09
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