



PHARMACY COUNCIL OF INDIA

(Constituted under the Pharmacy Act, 1948)

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Maa Anandamai Marg
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New Delhi – 110 020

Ref.No.14-148/2022-PCI | 14316

17 OCT 2022

To
The Principal Secretary (Health/Technical Education)
All State Governments /Union Territories
All State Pharmacy Councils

Sub: Clarification regarding implementation of Pharmacy Practice Regulations, 2015 by
the State Governments and Union Territories -reg.

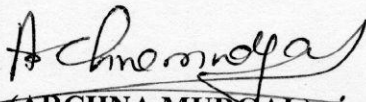
Sir/Madam,

With reference to the subject cited above, please find enclosed herewith the letter No.- Z-28020/80/2020-AHS dt. 07.10.2022 (Appendix-I) received from Health Ministry, which is self explanatory.

All concerned are hereby requested to immediately implement the Pharmacy Practice Regulations, 2015 notified by PCI in the Gazette of India PART III—Section 4 dt. 16.01.2015. The said Regulations are available on Council's website under the Tab: Rules/Regulations & Syllabus.

This is for necessary action at your end.

Yours faithfully



(ARCHANA MUDSAL)
Registrar-cum-Secretary

F.No.Z-28020/80/2020-AHS
भारत सरकार/ GOVT. OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
(एएचएस अनुभाग)/(AHS SECTION)

Nirman Bhawan, New Delhi
Dated: 07/10/2022

To

Registrar-cum-Secretary,
Pharmacy Council of India
NBCC Centre, 3rd Floor, Plot No. 2, Community Centre,
Maa Anandamai Marg, Okhla Phase – I,
New Delhi-110020.

Subject: Clarification regarding implementation of PCI's regulation on State Government.

Reference: PCI's email dated 02.09.2022.

Madam,

In supersession of this Ministry's letter of even no. dated 23.09.2022, I am directed to inform that section 11 of Pharmacy Act, 1948, states that "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."

2. It is also informed that as per Article 254 of the Constitution of India, "If any legislation enacted by the state legislature is repugnant to the legislation enacted by the Parliament, then the state legislation will be declared void, and the legislation enacted by the Parliament will prevail over the former".

3. Since the PCI's Regulations comes under the concurrent list, hence, based on the above facts, it is binding on the State Governments to implement the same with immediate effect and the same is not required to notify again by State Governments.

Yours faithfully,

Digitally Signed by Amit
Biswas

(Amit Biswas) 07/10/2022 14:39:03

Under Secretary to Government of India

Tel No.: 23061120