



# Standing Committee Report Summary

## The Indian Medicine and Homoeopathy Pharmacy Bill, 2005

- The Standing Committee on Health and Family Welfare (2005-06) submitted its 18th Report on The Indian Medicine and Homoeopathy Pharmacy Bill, 2005 on 28<sup>th</sup> July 2005. The Chairperson of the Committee was Shri Amar Singh.
- The Bill creates a framework to regulate the education and practice of pharmacy in Indian medicine and homoeopathy.
- The Bill defines a register of pharmacists as specified under the Pharmacy Act, 1948 which defines register and central register. The Committee believes that state and central registers should be defined separately in the Bill.
- The Bill creates a Central Pharmacy Council of Indian medicine and Homoeopathy, which will include members elected from each state with a state pharmacy register, faculty from Departments of Pharmacy, and seventeen centrally nominated members. The Committee notes that nominated members will outnumber elected ones on the council and recommends reviewing the composition.
- At present, there are no states with pharmacy registers or universities with departments of pharmacy. Until these conditions are fulfilled, the government will appoint ten members under the state register category and five from teaching staff at universities. The Committee believes that a term limit should be established while states set up pharmacy registers and universities create pharmacy departments.
- The Committee believes that the council should include representatives from the Central Council of Indian Medicine, the Central Council of Homoeopathy, and the Pharmacy Council of Modern Medicine.
- The president and vice-presidents of the council shall be elected from amongst the council members, except for the first election. The central government shall appoint the president and vice-president for the first five years of the council's constitution. The Committee believes that the president and vice-presidents should be elected by the members themselves.
- The Bill specifies certain qualifications for eligibility as a council member. However, nominated members are exempt from these requirements. The Committee does not agree with this exemption. They also suggest making the qualifications for elected members applicable after the state registers and department of pharmacies are established.
- The president or vice-president of the council is eligible for re-election once. The Committee notes that other councils allow for re-election of office bearers, and recommends including the option for re-election. They also recommend a fixed term of five years.
- The Bill requires the council to meet twice a year and one third of the total number of members shall form quorum. The Committee recommends that a minimum number of members from all systems of Indian Medicine must be present for a meeting to convene.
- The Bill provides that the council, in the discharge of its functions, be bound by directions by the central government related to questions of policy. The Committee believes the council can effectively function without central direction and recommends removing the clause.
- If the central government believes that the council has defaulted on its responsibilities, it may supersede the council for up to one year. The Committee notes that other councils have functioned properly without this clause and recommends its deletion.
- A person who acts against any provision in this Bill will serve up to one year, a fine of up to one thousand rupees, or both. The Committee feels that the punishment is not severe enough to deter contraveners and should be increased.
- Pharmacy colleges that have established or expanded courses or training without prior permission from the central government shall not be recognised. The Committee believes that this clause is not drafted properly and should also include permission to form a new college, course of study, and increase in admission capacity.

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