

**Minutes of 02.410<sup>th</sup>Executive Committee (EC) meeting of the Council held on 3<sup>rd</sup> July, 2024 by Online.**

=====

## **A G E N D A   I T E M S**

**02.410.005:**.. Consideration of mail dt.28.6.2024 from Dr. SaleemullaKhan, CC member forwarded therewith letter dt.28.6.2024 of Govt. of Karnataka stating that extension of date for submission of compliance of statutory documents (continuation / consent/fresh affiliation) for approval of pharmacy courses for academic year 2024 2025.

-----

17-71/2019 (Lead File Karnataka)

5.1     The latest information on record was placed and considered.

5.2     It was noted that -

a) the Government of Karnataka vide letter dt. 28.06.2024 requested as under -

*"For extension of date for submission of compliance of statutory documents (continuation/consent/fresh affiliation) for approval of pharmacy courses for academic year 2024-2025 as the Pharmacy Colleges has applied for the NOC to either start fresh Pharmacy colleges or additional programs in the existing colleges. Government has conducted the inspection and have received reports. High power committee has also been formed to deliberate upon the inspection reports and take decisions. The entire process has been delayed due to the Lok Sabha elections followed by the Government routines and they will try to complete the approval process before the end of July 2024-2025."*

b) the 409<sup>th</sup> EC held on 06.06.2024, under item no. 41 decided to extend the period of submission of compliance regarding statutory documents by the institutions by 30<sup>th</sup> June, 2024 as a last and final opportunity.

5.3     The matter was discussed at length and it was decided to further extend the period of submission of compliance regarding Statutory Documents by the new institutions, Existing institutions applied for introduction of new course and raise in admissions by 31<sup>st</sup> July, 2024 as last and final opportunity and post a circular on PCI website in this regard.

5.4     It was further decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.006:** Consideration of letter No.Affi-6001/2023/555 dt.24.8.2023 received from Bihar University of Health Sciences requesting therewith to approved as Examining Authority for all Pharmacy Institutions for Diploma, Undergraduate and Postgraduate in Bihar State.

-----

17-127/2024 (Lead File Bihar)

6.1     The latest information on record was placed and considered.

6.2     It was decided to constitute a Committee consisting of 2 senior inspectors to verify the Examining Authority i.e. Bihar University of Health Sciences and the Committee shall submit its report to the Council.

- 6.3 It was further decided to ratify the action taken by the PCI informing therewith to the institutions to apply in the Service Portal of PCI for change in the name of Examining Authority.
- 6.4 It was also decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.007:** Ratification of Council's decision letter dt. 21.6.2024 issued to Maxwell Institute Of Medical Sciences, 1 Chandauli, Rural, Hinauta, District Chandauli -232104 (Uttar Pradesh) regarding D.Pharm course (PCI-6279)

(PCI-6279)

- 7.1 The latest information on record was placed and considered.
- 7.2 It was decided to ratify the following action taken by the Council with the approval of the Competent Authority regarding conveying therewith the decision in respect of corrections in the address of the institution on 21.6.2024-

### From

Institution Name/ID/ Course	Examining authority/ Hospital	Examining authority/ Hospital
Maxwell Institute of Medical Sciences 1016S, Gt Road, Aspur Gt Road Etah, <b>Etah</b> , 207001  PCI- 6279 D. Pharm	The Secretary Uttar Pradesh Board of Technical Education Guru Govind Singh Marg Lucknow Uttar Pradesh	D. Pharm: Grant approval for 2023-2024 academic session for the conduct of 1st year for 60 admissions for D. Pharm course.

### To

Institution Name/ID/ Course	Examining authority/ Hospital	Examining authority/ Hospital
Maxwell Institute of Medical Sciences 1, Chandauli, Rural, Hinauta District <b>Chandauli</b> - 2321034 (Uttar Pradesh)  PCI 6279 D. Pharm	The Secretary Uttar Pradesh Board of Technical Education Guru Govind Singh Marg Lucknow Uttar Pradesh	D. Pharm: Grant approval for 2023-2024 academic session for the conduct of 1st year for 60 admissions for D. Pharm course.

**02.410.008:** Consideration of approval of unapproved batch for 2018-2019 admitted pass out batch of D.Pharm & B.Pharm course conducted at Compfeeders Aisect College Of Professional Studies Pharmacy College 582/1 RR CAT-RAU ROAD RANGWASA INDORE 453331 (Madhya Pradesh) for-  
 28+1=29 pass out students of D.Pharm course of 2018-2019 batch details.  
 67+1=68 pass out students of B.Pharm course of 2018-2019 batch details.

PCI-3568/2019

8.1 The latest information on record was placed and considered.

8.2 It was decided to approve as under -

S. No	State	Institution Name / ID/ Course	Decision	Examining Authority								
1.	Madhya Pradesh	<p>Compfeeders Aisect College Of Professional Studies Pharmacy College 582/1 RR CAT-RAU ROAD RANGWASA INDORE 453331 (Madhya Pradesh)</p> <p>PCI-3568</p> <p>D.Pharm B.Pharm</p>	<p><b><u>D.Pharm</u></b></p> <p>It was decided to grant approval to D.Pharm course and examination u/s 12 of the Pharmacy Act as per following details as certified by the examining authority, as one time arrangement without citing precedence</p> <table><tr><td>Session of Admns.</td><td>No. of Admns.</td></tr><tr><td>2018-2019</td><td>29</td></tr></table> <p>List of D.Pharm students is enclosed as <b>Annexure-1.</b></p> <p><b><u>B.Pharm</u></b></p> <p>It was decided to grant approval to B.Pharm course and examination u/s 12 of the Pharmacy Act as per following details as certified by the examining authority, as one time arrangement without citing precedence</p> <table><tr><td>Session of Admns.</td><td>No. of Admns.</td></tr><tr><td>2018-2019</td><td>68</td></tr></table> <p>List of B.Pharm students is enclosed as <b>Annexure-2.</b></p>	Session of Admns.	No. of Admns.	2018-2019	29	Session of Admns.	No. of Admns.	2018-2019	68	<p><b>D.Pharm</b></p> <p>The Secretary, Rajiv Gandhi Proudhyogiki Viswavidyalaya, Polytechnic Division, A-4 Office Complex Gautam Nagar, Near Chetak Bridge Bhopal-462023 (Madhya Pradesh)</p> <p><b>B.Pharm</b></p> <p>The Registrar, Rajiv Gandhi Proudhyogiki Vishwavidyalaya Airport, Bypass Road, Gandhi Nagar, Bhopal – 462033.(Madhya Pradesh)</p>
Session of Admns.	No. of Admns.											
2018-2019	29											
Session of Admns.	No. of Admns.											
2018-2019	68											

8.3 It was also decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.010:** Consideration of order dt.27.6.2024 passed by the Hon'ble High Court of Judicature at Patna Civil Writ Jurisdiction Case No.1206 of 2024 filed by Patna College of Pharmacy, Dist. Patna (Bihar).

-----

F.No.PCI-4704/2022

- 10.1 The latest information on record was placed and considered.
- 10.2 It was decided to comply with the court order dt.27.6.2024 passed by the Hon'ble High Court of Judicature at Patna Civil Writ Jurisdiction Case No.1206 of 2024 filed by Patna College of Pharmacy, Dist. Patna (Bihar).
- 10.3 It was further decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.011:** Regarding Contempt Petition No. CLCON/0000079/2022 filed by Kukreja Institute of Pharmacy Vs Registrar cum Secretary, Pharmacy Council of India.

-----

F.No.PCI-5216/2024-PCI

- 11.1 The latest information on record was placed and considered.
- 11.2 It was decided to file an appeal against the Order dt. 21.10.2021 passed by the Hon'ble High Court of Nainital in W.P.MA. No 1981 of 2021 filed by Kukreja Institute of Pharmacy vs. Pharmacy Council of India.
- 11.3 It was further decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.012:.** Consideration of order dt.28.6.2024 passed by the Hon'ble High Court of Judicature at Patna Civil Writ Jurisdiction Case No.7583 of 2024 filed by Chamrapran College of Pharmacy, East Champaran (Bihar).

-----

F.No.PCI-4485/2021

- 12.1 The latest information on record was placed and considered.
- 12.2 It was decided to comply with the court order dt.28.6.2024 passed by the Hon'ble High Court of Judicature at Patna Civil Writ Jurisdiction Case No.7583 of 2024 filed by Chamrapran College of Pharmacy, East Champaran (Bihar).
- 12.3 It was further decided to take action in anticipation of comments from the EC Members on the EC minutes.
-

**02.410.013:** Consideration letter No. 06/Pharmacy/ 09-02/2023 health-40(8) dt.16.5.2024 received from Govt. of Jharkhand, Health, Medical Education and Family Welfare Department.

-----  
PCI-4382/2024

- 13.1 The latest information on record was placed and considered.
- 13.2 It was decided to conduct the surprise inspection deputing one PCI member with 2 senior PCI inspectors and instruct them to record the inspection through videography.
- 13.3 It was further decided to take action in anticipation of comments from the EC Members on the EC minutes.

**02.410.014:** Consideration on Judgment dated 1<sup>st</sup> July 2024 passed by Hon'ble High Court of Delhi in W.P.(C) 617/2024 and CM APPL. 2723/2024 filed by SLS College of Pharmacy and others versus Pharmacy Council of India.

-----  
PCI-5393/2020-PCI  
14-56/2023 (Approval process 2023-2024 as)

- 14.1 The latest information on record including order dt.1.7.2024 passed by Hon'ble High Court of Delhi was placed and considered.
- 14.2 The matter was threadbare discussed in the meeting and it was noted that Hon'ble Court has held as under -

*110. In view of the aforesaid discussion, paras 10(ii), (iii) and (iv) of the impugned communication dated 14 December 2023, as well as the provisions to that effect as contained in the Approval Handbook, are quashed and set aside.*

*111. It is hereby declared that the approval granted to the course of study conducted by an institution under Section 12(1) is to the entire course of study and not to any one year thereof.*

*112. Such approval, once granted, is to apply, subject it is being liable to be withdrawn in accordance with Section 13. The PCI has no power or authority to call on any institution to obtain continuation of the approval granted under Section 12(1) every year, nor can the PCI require the Institution to pay PERC on an yearly basis to obtain continuation of the approval granted to the courses under Section 12(1).*

*113. The only exception is in the case of the M. Pharm course, for which the approval would have to be renewed after 5 years, as required by the M. Pharm Regulations.*

116. Any amount deposited by the petitioners with the respondent as per the orders passed by this Court, subject to the outcome of the writ petition, shall be returned by the respondent to the petitioners within four weeks.

14.3 In view of above, it was decided –

- a) that Council shall immediately challenge the aforementioned order passed by the Ld. Single Judge and file the LETTERS PATENT APPEAL (LPA) before the Division Bench.
- b) to engage the services of Shri Tushar Mehta, Ld. Solicitor General of India along with 2 other senior advocates to be advised by PCI Standing Counsel at Delhi High Court Shri Ajay Kumar Singh.
- c) To seek guidance from the Ministry regarding the adverse impact of the Judgment on the functioning of the PCI.

14.4 It was further decided that LPA shall be signed by Registrar cum Secretary, PCI.

14.5 It was further decided to take action in anticipation of approval of minutes from Hon'ble President, PCI.

**02.410.028:** Consideration of following letters regarding Joint inspection of BTE and PCI in Uttar Pradesh –

- 1) Letter dt. 27.6.2024 received from Board of Technical Education (BTE)
- 2) Letter dt, 1.7.2024 received from Uttar Pradesh Govt.

---

F.NO-17-137/2024 (Lead file Utter Pradesh)

28.1 The latest information on record was placed and considered.

28.2 EC authorised the Hon'ble President to nominate the panel of inspectors for the purpose of joint inspection by the PCI along with BTE, UP.

28.3 It was further decided to take action in anticipation of comments from the EC members on the EC minutes.

**02.410.029:** Consideration of status report in respect of Existing and New application received during 2024-2025 academic session.

---

F.NO.PCI- Online Application for 2024-2025 Existing Institutions/Part-1

29.1 The latest information on record was placed and considered.

29.2 Noted.