



JAMMU & KASHMIR PHARMACY COUNCIL

(CONSTITUTED IN TERMS OF SECTION (19) OF THE PHARMACY ACT, 1948)
COMBINED DRUG & FOOD LAB, PATOLI MANGOTRIAN, JAMMU.

EMAIL: presidentjkpharmacycouncil@gmail.com, Tele: 0191-2536043.

ORDER NO: 05-JKPC OF 2023.

DATED: 14.02.2023.

Subject →	Cancellation/Rejection of Re-registration application of Mr. Rattan Lal Gupta S/o Mr. Tirath Ram R/o W.no3, Chenani, Distt- Udhampur (under 32C of the Pharmacy Act, 1948-regarding).
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Whereas, the Pharmacy Council of Union Territory of J&K issued a Public Notice under endorsement no:JKPC-86/Estt/681-91, Dated: 16.12.2020 inviting therein applications for re-registration/validation of Pharmacist Registration certificates of all those persons who were registered as Pharmacist under the repealed J&K Pharmacy Act, Samvat, 2011, (1955, A.D);

Whereas, the above exercise was initiated in pursuance to provisio (32C) incorporated in the Pharmacy Act, 1948 notified vide S.O no: 3465(E), Dated: 05th of October, 2020;

Whereas, the above applicant namely Mr. Rattan Lal Gupta S/o Mr. Tirath Ram R/o W.no3, Chenani, Distt- Udhampur uploaded an application in the Online Portal of J&K Pharmacy Council for re-registration under (32C) of the Pharmacy Act, 1948 vide Form reference no: PHAR014446, Dated: 23.02.2021;

Whereas, after perusal of office records/scrutiny of uploaded documents following discrepancies were observed;

- That the registration number: 6974 mentioned in the uploaded certificate actually belongs to Mr. Sanjay Kumar Gupta S/o Mr. Triath Ram Gupta R/o Talab Tillo, Jammu;
- That the registration certificate has not been prepared/ signed by any of the Office bearers of the Council;
- That the signature of issuing authority also does not belong to any one of the competent authorities who have discharged functions as President in the Council;

Whereas, the observations highlighted herein above suggests that the above person has adopted unfair means by uploading fake documents/credentials;

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Whereas, the above person was offered an opportunity to provide his response in the matter through show cause notice vide this office letter bearing no: JKPC/SCN/2022/PHAR014446/2132-38, Dated: 30.06.22;

Whereas, no reply was received from the applicants end;

Whereas, the applicant was once again afforded an opportunity to provide his response through a Final Show cause /Personal Appearance notice vide this office letter no: JKPC/2022/32C/SCN/PHAR014446/2355-61, Dated: 10.10.2022;

Whereas the applicant has failed to respond to the communications reflected in para supras and as a result of it the constitutional right that accrued to the applicant to explain his position in the matter stands forfeited;

Now, therefore the undersigned in exercise of powers vested under Section (41) of the Pharmacy Act, 1948 rejects the application of the applicant for re-registration as Pharmacist in terms of Section 32(C) of the Pharmacy Act, 1948 & imposes a penalty of Rs. 500/- (First conviction) to be deposited in the bank account of J&K Pharmacy Council bearing bank details:


(Lotika Khajuria)
Ex-Officio-President
Jammu & Kashmir Pharmacy Council
J&K, Jammu.
Dated: 14.02.2023.

No: JKPC/Est/ 9799-39

Copy to:

1. The State Drugs Controller, J&K for information and necessary action.
2. Deputy Controller, Drug & Food Control Organization, Kashmir/Jammu for information and necessary action. It needs to be ensured that the said applicant has not succeeded to obtain any regulatory clearance under chapter IV of the Drugs and Cosmetic Act, 1940 and Rules there under from the empowered authorities (Retail/Wholesale). In the event of any benefit that may have accrued to the said person the process for restoration of status quo ante be initiated without any delay under an intimation to this office.
3. Drug Analyst, Drug Testing Lab, Dalgate, Srinagar (Ex-Officio, Member, J&K Pharmacy Council) for information.
4. Jt. Director, Information, Jammu/Kashmir for information and with the request to publish the subject order in the two local dailies for at least three days.
5. Assistant Controller, Drugs-Udhampur/Ramban for information and similar action as indicated in the endorsement figuring at S.no: (2).
6. All Licensing Authorities, J&K for information.
7. Private Secretary to Administrative Secretary to Government, Health & Medical Education Department, J&K, Civil Sectt, Srinagar/Jammu for favour of information of the worthy A.S.
8. All Other Members, J&K Pharmacy Council _____ for inf.
9. Concerned applicant for information. It may be noted that in event of failure to deposit the penalty amount, judicial intervention shall follow.
10. Concerned File/Official Website.