

Department of Health & Family Welfare, Punjab

OFFICE ORDER

No. 8/125/14-3Hb6/ 297969/1

Dated: 28/8/14

The State Government framed policy regarding grant and renewal of sale drugs licenses under the Drugs & Cosmetics "Rules, 1945 for controlling the sale of habit forming drugs which are misused as intoxicants in view of Hon'ble Punjab and Haryana High Court orders in CWP No. 18723 of 2009. The policy dated 22-04-2010 framed by the State Govt. was enforced w.e.f. 01-05-2010 and the copy of the same was submitted to the Hon'ble Punjab & Haryana High Court also as per the orders of the Hon'ble High Court. During the pendency of the Civil Writ Petition in the Hon'ble High Court, the representations of Punjab Chemist Association dated 08-06-2010, Pharma Distributors Association, Zirakpur dated 06-09-2010 and of C & F Association, Zirakpur dated 01-09-2010 were received by the Govt. and the policy was amended by the State Government and amended policy was circulated on dated 01-11-2010. The policy was also framed for the issue of retail sale drug licensees in the urban area. These policies were also submitted before the Hon'ble Punjab and Haryana High Court in this case. This CWP was disposed of by the Hon'ble High Court on dated 04-12-2012.

Now the representations have been received from the Punjab Chemist Association vide letter dated 08-10-2013 and Punjab Drugs Manufacturers Association letter dated 13-01-2014, in which they have requested for amending the policy framed by the State Govt. ibid for the grant of drug licenses for certain categories. Their representation were carefully considered regarding their problems and it was observed that the proposed amendments of the guidelines will not infringe the policy regarding the control of sale of habit forming drugs. The policy/guidelines mentioned above are hereby amended for the grant of wholesale and retail sale drug licenses for the following categories of applicants:-

1. The applicants who want to deal only in the wholesale of surgical, implants, dental materials, diagnostics kits and reagents, OTC drugs, medical devices which are notified as drug under section 3(b)(iv) of the Drugs and Cosmetics Act, 1940 and veterinary drugs, which do not involve sale of habit forming drugs, shall be issued wholesale licenses for the above items only and the policy shall stand amended to that extent.
2. The Punjab Drugs Manufacturers who are manufacturing drugs formulations shall, if they so desire be granted wholesale drug licenses in the same name and constitution of manufacturing license at one premises only and the policy shall stand amended to that extent.

The wholesalers who have obtained licenses in rural areas and in suburban areas before the policy was framed by the Govt. and are desirous of obtaining retail sale drugs licenses in the same premises and in the same constitution, if such wholesalers apply for the grant of retail sale drugs licenses and surrender their wholesale drugs licenses, they may be granted retail sale drugs license after they employ a qualified person and fulfill all the conditions laid under The Drugs and Cosmetics Rules, 1945 for the grant of retail sale drugs license. Such licensees will not be allowed to stock and sell drug formulations containing codeine diphenoxylate, dextropropoxyphene, bupronorphine, nitrazepam and pentazocine and their salts which are Narcotic Drugs or Psychotropic Substances except where there is medical need of these drugs formulations. The policy is amended accordingly.

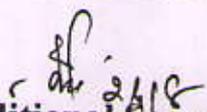
Dated: 6/8/14

Vini Mahajan  
Principal Secretary, Health & FW, Punjab

Endst. No. . 8/125/14-3Hb6/ 287 869 /1-8 Dated: 28-8-2014

Copy is forwarded to following:-

1. The Advocate General Punjab, Chandigarh for information.
2. The Principal Secretary, Health & Family Welfare, Punjab for information. (website to upload 2014 E file)
3. The Commissioner, Food & Drugs Administration Punjab, Back side Civil Hospital, Ph. VI, SAS Nagar (Mohali) for information and necessary action.
4. The State Drugs Controller, Punjab Chandigarh for information and necessary action.
5. All the Assistant Drugs Controllers, Punjab, Chandigarh.
6. All the Zonal Licensing Authorities in the state.
7. All the Drugs Inspectors in the State.
8. The President Punjab Drugs Manufacturers Association, C/o Perax Pharmaceuticals Ltd. D-145, Industrial Phase VII, Mohali for information.
9. The President Punjab Chemist Association, C/o Mehta Pharmaceuticals, Sheran wala gate, Patiala for information.

  
Additional Secretary  
Health & Family welfare Punjab