

GAHC010128372021



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4278/2021

HAM-AK COLLEGE OF PHARMACY, DENTAL AND MEDICAL SCIENCES,
NAGAON
REPRESENTED BY ITS DIRECTOR, INAMUL HASSAN WHOSE REGISTERED
OFFICE IS AT HATIZUZUZA, NAGAON, P.O.-HATIZUZUZA, P.S.-JAJORI,
DIST-NAGAON, ASSAM

VERSUS

THE PHARMACY COUNCIL OF INDIA AND 2 ORS.
(A STATUTORY BODY WORKING UNDER THE MINISTRY OF HEALTH AND
FAMILY WELFARE, GOVERNMENT OF INDIA, NEW DELHI, PIN-110002)
REPRESENTED BY ITS REGISTRAR CUM SECRETARY, P.C.I., NBCC
CENTRE, 3RD FLOOR, PLOT NO 2, COMMUNITY CENTRE, MAA
ANANDAMAI MARG, OKHAL PHASE-I, NEW DELHI-110020

2:THE ACADEMIC REGISTRAR
ASSAM SCIENCE AND TECHNOLOGY UNIVERSITY
TETELIA ROAD
NEAR ASSAM ENGINEERING COLLEGE
JALUKBARI
GUWAHATI
PIN-781013

3:THE PRINCIPAL SECRETARY
HEALTH AND FAMILY WELFARE DEPARTMENT
DISPUR
GUWAHATI-6.

4:THE SRIMONTA SANKARDEVA UNIVERSITY OF HEALTH SCIENCE
REPRESENTED BY REGISTRAR

THE SRIMONTA SANKARDEVA UNIVERSITY OF HEALTH SCIENCE

NARKASUR HILL TOP
BANGAGARH
GAUHATI-32
KAMRUP(M) ASSA

Advocate for the Petitioner : MR. K A MAZUMDER

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : **12.02.2024**

Mr. B. Gogoi, learned standing counsel for the Health & Family Welfare Department in terms of the earlier directions passed has produced before this Court Srimanta Sankardeva University of Health Science, Act 2007 and in terms of the provisions of the said Act of 2007 the term "Health Sciences" also includes within its fold "Pharmacy Education".

On the next date fixed, Mr. Gogoi, learned standing counsel for the Health & Family Welfare Department shall receive written instructions from the departmental authorities as to the extent of power of the Government to withhold the NOC to an institution which has been granted provisional recognition by the Pharmacy Council of India. The relevant provisions of the Pharmacy Act, which empowers the Government to withhold such NOC as well as the provisions requiring issuance of such NOC by the Government shall also be made known. Mr. Gogoi, learned standing counsel for the Health & Family Welfare Department shall also receive instructions with regard to the compliance of the provisions of Section

12(2) of the of the Pharmacy Act, 1948 by the Srimanta Sankardeva University of Health Science.

List this matter again on 23.02.2024.

JUDGE

Comparing Assistant