

## Pharmacy Act, 1948

### Section 41 - Penalty for falsely claiming to be registered

1) If any person whose name is not for the time being entered in the register of the 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State] falsely pretends that it is so entered or uses in connection with his name or title any words or letters reasonably calculated to suggest that his name is so entered, he shall be punishable on first conviction with fine which may extend to five hundred rupees and on any subsequent conviction with imprisonment extending to six months or with fine not exceeding one thousand rupees or with both : Provided that it shall be a defence to show that the name of the accused is entered in the register of another 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State] and that at the time of the alleged offence under this section an application for registration in the 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State] had been made. (2) For the purposes of this section,- (a) it shall be immaterial whether or not any person is deceived by such pretence or use as aforesaid; (b) the use of the description 'pharmacist', 'chemist', 'druggist', 'pharmaceutist', 'dispenser', 'dispensing chemist', or any combination of such words 3 (c) [c] Inserted by the Pharmacy (Amendment) Act, 1959 (24 of 1959), S. 15(1-5-1960). [or of any such word with any other word] shall be deemed to be reasonably calculated to suggest that the person using such description is a person whose name is for the time being entered in the register of the 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State]. (c) the onus of proving that the name, of a person is for the time being entered in the register of a 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State] shall be on him who asserts it. (3) Cognizance of an offence punishable under this section shall not be taken except upon complaint made by order of the 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State Government] or 3 (c) [c] Inserted by the Pharmacy (Amendment) Act, 1959 (24 of 1959), S. 15(1-5-1960). [any officer authorized in this behalf by the State Government' or by order of] the Executive Committee of the 3 (b) [b] Substituted for the word or words 'Provincial', 'Provincial Government' by A.L.O., 1950. [State] Council.