

**The Drugs
(Appellate Board)
Rules, 1976**

S. R. O. 595 (1)/76, dated 21st June, 1976: In exercise of the powers conferred by Section 43 of the Drugs Act, 1976 (XXXI of 1976), the Federal Government is pleased to make the following rules, the same having been previously published as required by sub-section (3) of the said section, namely :--

1. Short title and commencements: (1) These rules may be called the Drugs (Appellate Board) Rules, 1976.
(2) They shall come into force at once.

2. The Appellate Board: (1) The Appellate Board shall consist of the following members, namely :--

- (a) Secretary, Health Division, Government of Pakistan, who shall be its ex-officio Chairman.
- (b) Secretary, Health Department, Government of the Punjab, ex-officio or his representative, not below the rank of an officer in BPS 19, who is an expert in machine, pharmacology or pharmacy.
- (c) Secretary, Health Department, Government of Sind, ex-officio or his representative, not below the rank of an officer in BPS 19, who is an expert in machine, pharmacology or pharmacy.
- (d) Secretary, Health Department, Government of Baluchistan, ex-officio or his representative, not below the rank of an officer in BPS 19, who is an expert in machine, pharmacology or pharmacy.
- (e) Secretary, Health Department, Government of the North-West Frontier Province, ex-officio or his representative, not below the rank of an officer in BPS 19, who is an expert in machine, pharmacology or pharmacy.
- (f) One Professor of medicine, to be nominated by the Federal Government.
- (g) One Professor of Pharmacology, pharmacology or medicine to be nominated by the Federal Government.
- (h) One representative of the Law Division, Government of Pakistan.
- (i) Chairman, Quality Control Authority, Health Division, Government of Pakistan, who shall be its ex-officio Secretary,
- (j) One representative of the Ministry of Law and Parliamentary Affairs, Government of Pakistan,
- (k) Chief Cost Accounts Officer of the Ministry of Finance.

(2) The members, other than ex-officio members, of the Appellate Board shall hold office for a period of three years and shall be eligible for renominations.

(3) The Appellate Board shall meet as and when required to perform its functions.

(4) The Appellate Board shall have powers to appoint a Committee of Experts for detailed investigation of any matter and report to the Board.

(5) No act or proceeding of the Appellate Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of the Board.

3. Powers of the Appellate Board: The members of the Appellate Board shall exercise all the powers of an Inspector without restriction as to area, and such other powers as may be necessary to perform their functions.

4. Procedure of Appeal: (1) Any person aggrieved by a decision of the Registration Board, the Central Licensing Board or a licensing authority may, within sixty days of receipt Of such decision, submit an appeal to the Appellate Board.

(2) An application for appeal under sub-rule (1) shall be in triplicate and be accompanied by a copy of the decision appealed against, and shall contain all material statements and arguments relied on by the appellant and a fee of one thousand rupees for each application .

(3) The Appellate Board shall transmit a copy of the application for appeal referred to in sub-rule (2) to the Registration Board or the Central Licensing Board or the licensing authority against whose decision the appeal has been made. and such Board or authority shall. on demand, produce before the Appellate Board the record of the case leading to the decision.

(4) The Appellate Board shall, after giving the appellant an opportunity of being heard, pass such orders as it thinks fit and such orders shall be final.

5. Revision: The Appellate Board may, of its own motion at any time, call for the record of any case for the purpose of satisfying itself as to the correctness, legality or propriety of such order and may pass such order in relation thereto as it thinks fit.