To,

The Director

Medical Education & Research

Haryana

SCO No. 7, Sec. 16, Panchkula

**Subject: Comments / Suggestions on the Draft Bill for the Haryana State Council for Physiotherapy uploaded on website.**

Dear Sir,

I would like to congratulate you on your efforts of taking out the above stated Bill in the Public Domain for suggestions of all, including general public. The physiotherapists of the state were constantly struggling and the state was in dire need of a council as the state wise lacking curriculum regulation and other things which are beneficial for all the stake holders. Haryana Chartered Association of Physiotherapist (HCAP) has constantly been working on this issue and has given vital inputs in bringing this good work to life.

I am a part of HCAP/ Physiotherapy community/ Common men and as a citizen of India as well applaud this step of yours and congratulate you again on this point but want to give my suggestions and views on this Bill as You have asked for suggestions/comments on the Haryana State Council for Physiotherapy by a notification in the Daily News Paper Dainik Bhaskar dated 27/04/2017 for which I am hereby giving my suggestions in the following paragraphs-section wise:-

Suggestions on CHAPTER-I PRELIMINARY

SECTION 2 DEFINITIONS

*CLAUSE (g) “****PHYSIOTHERAPY****”.*

**Comments/suggestion**:- Please replace word ‘system’ with ‘branch of modern medical science’ and even Maharashtra and Gujarat State Council for Physiotherapy Act No 18 of 2011 defines Physiotherapy as Modern Medical Science and it shows which is obvious as extensive research is happening in the field of Physiotherapy. Rest of the Definition of Physiotherapy is brilliant piece of work.

Suggestions on:- CHAPTER II CONSTITUITION OF THE HARYANA STATE COUNCIL FOR PHYSIOTHERAPY

CONSTITUTION AND COMPOSITION OF THE HARYANA STATE COUNCIL FOR PHYSIOTHERAPY Section 3.:-

Sub Sections:-

1. ***“The Additional Chief Secretary/ Principal Secretary/ Secretary to Government of Haryana, Medical Education & Research Department, President of the Council.”***

**Comments/suggestion:-** It is stated that Hon’ble Ms./Mr. Secretary is a very busy person and has responsibility of the whole medical education and Research department who has to handle functioning of the whole Department under health ministry and the whole medical field and by this Sub Section he has been made President of the Physiotherapy Council who by Power of Section 10 is also the Chairman of the Executive Council which is a body corporate who will handle every active functioning of the council like enrollment etc which is going to be very difficult. **Best would be that if the President be elected from all the members of the council to whom all the members feel fit to represent**. Another option is that he may be kept as ex officio member as kept by Gujarat State Physiotherapy Council but his name is completely not present in Maharashtra state council of Physiotherapy. *According to me*, it is the Director of medical Education & research who should be the ex-officio member of the council which pattern is also followed by the Maharashtra State Council of Physiotherapist Act, 2002 and also as per the proposed draft submitted by the Haryana Chartered Association of Physiotherapists **to Hon’ble Health Minister and to Your Office**. Hon’ble Secretary is the Guiding and supervising force behind the whole council so that wherever the Council goes wrong, he has powers on behalf of the State Government to dissolve the whole Council as per Section 45 of the Act proposed by you but if Hon’ble Secretary will be participant in the functioning of the Council then who would point finger and take action on the Council.

***(b) “The Director General/Director, Medical Education and Research, Vice President.”***

**Comments/suggestion:-** as per all the state council performing in various states like Gujarat, Maharashtra and Delhi, the President and Vice president were prescribed to be elected among themselves which would provide opportunity to all the members to elect president democratically and give the leadership to the person who in everyone’s view is most deserving person to represent the council. The Director should be the Ex-officio member of the Council who if willing has opportunity to be elected President by election among Council members.

**(c) “*Principal, College of Physiotherapy, Pt. B.D. Sharma U.H.S. Rohtak, Member.”***

**Comments/suggestion:-** at present the above said Principal is not a Physiotherapist so his nomination in the Council of Physiotherapy is not justified and appropriate as he is a member of his own Council, which is not physiotherapy, so the appropriate step is that the Government nominates **one member from all the teaching staff of College of Physiotherapy, Pt. B.D. Sharma U.H.S. Rohtak** as he being a physiotherapist as well as member of the register of Physiotherapist maintained by the Council.

**(d) “*Principal/HOD, College of Physiotherapy, University of Health Sciences, Karnal, Member.”***

**Comments/suggestion:-** This is a justifiable point if the above said person is himself/herself a Physiotherapist as well as member of the register of Physiotherapist maintained by the Council.

**(e) “*Three members from physiotherapists to be nominated from amongst the registered practitioners enrolled in the Register of Physiotherapists:”***

**Comments/suggestion:-** Atleast **six members** should be **elected** from the registered practitioners enrolled in the Register of Physiotherapists as per the proposed draft submitted by the Haryana Chartered Association of Physiotherapists to Hon’ble Health Minister and to Your office. **First** Profound reason for keeping the election alive is that, it is being duly followed in all the formats of all the Medical councils, Physiotherapy councils, Bar councils nationwide and state wise is that, this will include all the practitioners to contribute in the raising of standards of their profession and supervision in every area from where they come and are dedicated to serve.

**Secondly,** if all the members will be nominated then it is quite sure that all the physiotherapists will become disenchanted with it and that will harm the whole purpose of this Act which is joining every professional physiotherapist at this common platform because if all hands will join and work together then only effective mechanism can be designed and strengthened so that the Physiotherapy council can contribute in upliftment and effective performance in raising the standards of the Physiotherapy council else it will die a slow death as best principle would be to let the physiotherapists to set standards for themselves in the effective presence of the government through its nominated members.

**Thirdly,** keeping the essence of Constitution of India alive in regulation of the Physiotherapy council, where democracy is kept alive and strengthened **till Panchayat level** so that people will rule themselves and keeping the principle alive that is **“To the people, for the people and by the people”** same let it be **“to the Physiotherapist, for the Physiotherapist and by the Physiotherapist”.** So, in order to maintain the democracy and transparency in the council, **elected members must be there along with nominated members.** And the election process may be taken from the proposed draft bill submitted by the Haryana Chartered Association of Physiotherapists **to Hon’ble Health Minister and to Your Office** wherein the process of election is elaborately defined.

**(f) “*Two Physiotherapists from the recognized Government aided/private teaching institutions holding teaching posts, representing private physiotherapy institutions of Haryana State, to be nominated by the Government.”***

**Comments/suggestion:-** It’s a good decision and should be kept alive.

**(g) “*One eminent physiotherapist, to be nominated by the state Government having vast experience in the field of physiotherapy”.***

**Comments/suggestion:-** **Two eminent** physiotherapists should be nominated by the state government who with their experience can inspire the Physiotherapists of the whole state by their achievements and popularity among its members, as they represent such physiotherapy organizations which can represent the interest of physiotherapy also as per the proposed draft submitted by the Haryana Chartered Association of Physiotherapists to Hon’ble Health Minister and to Your office because they are already representing and keeping the physiotherapists together and helping them in raising voices for their interests as serving society from last many years with the help of physiotherapy and they have experience of ground work.

**(h) “*One physiotherapist, to be nominated by the State Government from the Government Institutions or hospitals or research centers imparting physiotherapy education”.***

**Comments/suggestion:-** To help the research and to incorporate the view of our Hon’ble Prime Minister to help increase the research, ardent step needed for the growth of the nation, because the actual growth of a profession as well as society depends upon research work and for their representation only one member is not enough hence **two members** would be more appropriate to facilitate research work culture in our present academic system of physiotherapy through the council.

***(i) “Additional Director/Deputy Director, Physiotherapy from the Directorate of Medical Education and Research, Haryana or Registrar appointed under section 13 of the Act shall be the member-Secretary.”***

**Comments/suggestion:-** the Registrar is a permanent position/ Office who has to be in the office of the Physiotherapy Council and manage the whole staff and will note the minutes of the meetings, maintain accounts and will take orders from the office bearers of the council and Executive members and a person from a rank of Additional Director/Deputy Director by protocol will not fit for the work of the registrar so both these ranks should be separated hence one person cannot be at two ranks and receive salaries or perks of both the posts. Considering the Powers and directions of Section 13 where appointment of registrar is being mentioned along with its duties and functions. Post of Deputy director will not fit here so should be deleted and a permanent registrar should be appointed as Section 13 of the bill and by looking at Acts of other Physiotherapy Councils and as per the proposed draft submitted by the Haryana Chartered Association of Physiotherapists to Hon’ble Health Minister and to Your office As the provisions relating to the Elected Members of the Council are needed be added to the Bill, the other provisions are also required to be amended accordingly for which help of the proposed draft submitted by Haryana Chartered Association of Physiotherapist can be taken. Some subsections are required to be added in Section 4 (term of office), Section 5 (Casual vacancies) and Section 6 (Resignation) if we are going to make the office of the President and the Vice president to be appointed through election as discussed above.

Section 10 :-Executive Committee and other Committees

*Sub section 2(d):-* ***“Registrar”***

**Comments/suggestion:-** The Director medical Education and Research should be member of the executive council as registrar will take minutes of all meetings and bring in effect the orders of the Physiotherapy Council and Executive Committee. **Secondly** member of the Executive council holds office till his term of member of the Council as per Section 10(4) of this Bill itself but the post of registrar is a permanent one and he is the member secretary of the Council.

Section 17**:- “*Non recognition of qualifications in certain cases”***

**Comments/suggestion:-** last para of this section is written without any title or numbering so it would be wise to put a title as “EXPLANATION” here at this place.

*Section 32:-* ***“Registration”***

**Comments/suggestion:-** In point 5 and 6 word ‘council’ has been put but here word ‘registration committee’ is more appropriate as the work of registration and every work correlated to it has to be handled by registration committee as for this purpose only the registration committee has been created and this registration committee members are the members of the Council only so there is no requirement to put Council’s interfere in the work of the Registration Committee as it will be overlapping of the work assigned.

Note:- My only wish is to see a **Democratic Physiotherapy Council and not a Remote–controlled one** wherein Registration, management and corruption shall be taken care of in a fair and justful manner by the **collective efforts** of the Government Of Haryana, Directorate General of Medical Education and Research and all the physiotherapist of the State of Haryana because the Council is being **constituted only for the purpose** and benefit of the Physiotherapy fraternity in the service of the people of the state and beyond.

I hope that the voice of a common physiotherapist will not remain unheard and it will not be overcome for the sake of justice to all.

The Physiotherapy Council shall manifest the essence of the **Constitution of India** which is Democracy, Equity, Justice and Good Conscience.

Yours faithfully

Dr. R.K. Mudgil (PT)

President,

Haryana Chartered Association of Physiotherapists (Regd)

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