

CHHATTISGARH SAH CHIKITSA PARISHAD ACT, 2001

fg;frF .3.ft* . 15 2002- i 923 a-yaq, 15 2002 4 - (AT.) - 200 1) 8- I -2002 19 7Rr I _S 2002- 15 2002 4 /\$frg - (AT.) - F.. 20m) 8- I -2002 e, f;äi; 2002 4 2 - & (qr.) 2002 348 (3) 2001 CHHATTISGARH ACT (No. 25 of 2001) THE CHHATTISGARH SAH CHIKITSA PARISHAD ACT, 2001 i} Short title, extent and commencement. Definitions Table of Contents CHAPTER I PRELIMINARY CHAPTER - r} 2 4 6 7. 8. 9 10 ESTABLISHMENT AND CONSTITUTION OF CHHATTISGARH PARAMEDICAL cot_men- Establishzment of Council Constitution of Council Disqualification for Inembership Tenn of office of elected, nominated members of Council arld nominee Resgnation by nominated or elected members Disabilities for continuing as member of Council Filling of casual vacancies President and Vice-President of. council CHAPTER CONDUCT OF BUSINESS Convenng of nieetlng 14 16 17 18 20 21 24 26 28 20 30 Pcnvers Pft's!denr. to call specvai Adjournment of tneeting Presiding of tne<tng Quorutl'i Deciston of questions by majority of votes Minutes of proceedings etc not to inva\idate proceedings Proceeding of meeting to be good and vaEid Alio•wances ot• members of council Power of countncli to invite any person having special knowledge cr expene)ce in paramedicine Cotnnurees CYHPTER - N' POWERS AND FUNCTIONS OF COUNCIL Powers and functions of Council CHAPTER • V PARAMEDICAL LNSTITCTIO.NS AND RECOGNITION Recogn!icn of Paramedica! qualifications in certain cases Time for seckff.g penniss'on for certam existing Paramedica} Recognition of paramedical qualification granted by cr Parar.ledlcal Institution in [nia - Recognition of Parapnedlcal qualification granted by P2.ran:edica! In couotnes whxh there ts scheme of rectprocity of Parapnedicai by cerain Inst!tuons ""hose quahfcac!ens ate mc'uded the Schedu:le Power to requre as to coi;rses of study and a? [n.stitution WGthdrawal recoyut:ons standards cf Education CHAPTER V: REGISTRAR OTHER OFFICERS SERVANTS effcers and the 1.SGARU ot 1 F SAH CH[K'TI SA PARIS 11 2001 IA A ct to provide for the establishmn•nt of Pararmedical Council in the .State and to regulate the practice hy Practitioners and Parmmedical Ed LICHTinn. Be It enacted Ci'_batusgar.h V:dhan .Manda: :n the Fifty sQK,-cnd Y'car of the I CHAPTER I PRELIMINARY be calied the Chhattisp,arh Sah Chikitsa Par: shad (2) it extends to the xvhole of Chhatt:sß.arh t Into force on date as 'he State Govenunent :nav notificatton nppc:nt unless 'he cop-text requres- •he Chhattisga. •h Sah Chi kitsa Panshad established under Alcar•s, any personr,ei quahfed sa!rect and •wha : eachIT!P, practicce of- the :neamng cf clause (i) of SteiQT1 2 of the 'ridi3'l Act. .ot , Y 80] and Bloc-i:cnwstry "Tth!ll of Svst?IT,. Narurcp•aü» end k Ina:- ond (l) respectl',e.y of Sce•o .ar.] Praxnt:x chikitsa til? of Sub-sect; or, (c) of 2 C Vanda; ani. the of rh Establishment o' Counal. Consdtudon of Counil 3. 4, rm3, 5 2002 (e) "Registered Paramedical means, a person registered under this Act (i) "State Register" means, a register maintained under this Act and expression • 'Reg istered" and "Registration" shall be construed accordingly. CHAPTER - ESTABLISHMENT AM) CONSTITUTION OF CHHATTISGARH PARAMEDICAL COUNCIL (k) The State Governmt shall, as soon as may be, establish, by notification, a Para Cmmcil with effect from such date as may be specified therein, (2) The council shall be a body corporate by the name ofthe Chhattisgarh Paramedi cal Council, and shall have perpaual succession and a common seal with the power to acquire and hold property both moveable and immovea ble and subject to the provisions mede under this Act, to transfer any property held by it and to contract and do all other things necessary for the purposes Of its constitution and may sue and be sued in its corporate name (l) fie Council shall consist of the following members, namely:- A..Ex,offci0 (i) Minister ftr Public Health, Family Welfare and Medical Education (ii) Director Medical Education. (iii) Director Health Services. (iv) Director Indigatous Systems of Medicine and Homeopathy. (v) Chairman of the Vyavsayik Parishad Mandal Chhattisgarh or bis notüt-nee not below the rank of controller. B-Nominated Members (vi) One Dean of State or Autonomous Medical College (vii) One Principal of State of Autonolnous Ayurvedic College. (viii) One Professor of Orthopedics of Government or Autonojnous Medica! Coi- lege or Principal of Autonomous College of Physiotherapy. (is) One Professor and Head of Departnment of State or Autonomous Ayurvedic College in which the course in Paramedical subject is run. (x) One Professor and Head Qfthe Dcpartlüent. of State or Autonolnous Ayurvedic Oi Horneopáthy or Unani College in •which any Parmnedic,ol subtect is run. C.,Eiected Members Fivc mcnlbers to be elected frc.:tl by the rou:stered p: attitlone:s sucti mnner as oe presen bed by r cgc131'ons P rowded that the case of constitutor. of the Coancl) the f', IST of the Act the

members present and in the case of votes being equal the presiding authority at the meeting shall have a second or casting vote. () The minutes of the proceedings of each meeting of the Council shall be recorded in a book to be kept for the purpose. The names of members of the Council present shall be entered in the minute book and it shall be signed in confirmation by the Presiding authority at the same or next ensuing meeting. (2) A copy of the proceedings of each meeting of the Council shall be forwarded to the State Government within seven days from the date of its conclusion. No act or proceeding of the Council shall be invalid merely by reasons of-

(a) Any vacancy in, or defect in the constitution thereof of the Council.

(b) Adjournment of meeting.

(c) Presiding of meeting.

(d) Quorum.

(e) Decision or questions by majority of votes.

(f) Minutes.

(g) Proceedings.

(h) Vacancies etc. not to invalidate proceedings.

(i) Proceedings of the Council to be good and valid.

(j) Allowances of members of Council.

(k) Power of Council to invite any person having experience in paramedicine.

(l) Committees, Powers and functions of Council.

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21 22 23 2002 (b) Any defect in the election or nomination of a person acting as member thereof or (c) Any defect in its procedure not affecting the merits of the case. Until the contrary is proved every meeting of the Council shall be deemed to have been duly held if the minutes have been signed in accordance with the provisions of this Act. (1) The members of the Council shall receive such travelling and other allowances as may be prescribed by regulations. Provided that the members of the Council who are Government employees shall not be entitled to receive such allowances. (2) No member shall be entitled to any payment other than the payment as specified in Sub-section (1). (1) The Council may, if it thinks necessary, invite any person having special knowledge or experience in paramedicine to its meetings, to hear his views on the subject. Such person shall have right to take part in the discussion on the subject but shall not have the right to vote in the meeting of the Council. (2) Invitee shall be entitled to receive such allowances as specified in Section 20 (1) Council may appoint, from time to time and for such period, a committee consisting of such members as it may think fit and may refer to such committee for enquiry and report or for opinion on any matter for the purposes of this Act (2) Every committee appointed under Sub-section (1) shall at its first meeting select one of its members to be its chairman. (3) The mode of appointment of such committee, the functioning and holding of meetings and the conduct of business of such committee shall be such as may be prescribed by the regulations.

CHAPTER - POWER FUNCTIONS OF COUNCIL (i) Subject to the provisions of this Act and the rules made there under, the Council shall exercise such powers and perform such functions as may be necessary for carrying out the purposes of this Act. (2) In particular and without prejudice to the generality of the foregoing provision, the powers and functions of the Council shall be-

(a) to maintain the State register of paramedical practitioners (b) to hear and decide appeals from the decision of the Registrar in such manner as may be prescribed by regulations ; (c) to prescribe by regulations a code for regulating the financial conduct of registered paramedical practitioners , (d) to reprimand a registered paramedical practitioner, to suspend or remove the name from the State Register, or to take such other disciplinary action as may, in the opinion of the Council be necessary or expedient; (e) to permit any member to absent himself from three consecutive meetings of the Council, (f) to promote innovations, research and development in establishment of new paramedical subjects; (g) to formulate schemes for promoting paramedical education , (h) to promote an effective link between paramedical education and medical education, Ayurvedic, Unani, Homeopathy and Biochemistry systems and to promote research and development in these subjects; (i) To lay down norms and standards for courses, curricula, physical, and instructional facilities, staff pattern, staff qualifications, quality in instructions, assessment and examinations; (j) to fix norms and guidelines for charging tuition fees; (k) to advise the State Government in respect of grant of charter to any paramedical institutions and Universities imparting paramedical education; (l) to inspect or cause or be inspected any paramedical institution (m) to constitute a board for conducting the examination to maintain uniformity of standard : (n) to perform such other functions as may be prescribed by rules; (p) to conduct the elections of members under clause (xi) of Sub-section. (1) of 4

CHAPTER - V PARAMEDICAL INSTITUTIONS AND RECOGNITION 24. Where any paramedical institution is established or any paramedical institution opens a new or higher course of study except with the previous permission of The State Government in accordance with the provisions of this Act, no paramedical qualification granted to any student of such paramedical institution shall be recognized qualification for the purpose of this Act. Recognition of qualification in certain fitness for seeking permission for certain reasons: Paramedical institutions. qualification granted by University or Paramedical institution in Recognition or Paramedical qualification granted by Paramedical

Institution' in countries which (here is scheme of reciprocity. Recognition of Para- "Medical qualification granted by certain P 31-a medical institutions whose qualifications are not included in the Schedule. Powers require in- "of study and training" in an order par* - Institutions. Sec. 26 27 28 29 30 200. [If any person has established a paramedical Institution or any paramedical institution has opened a new or higher course of study or training or increases, the admission capacity. such person or paramedical institution, as the case may be. shall seek within a period of one year from the commencement of this Act, the permission of the State Government in accordance with the provisions of this Act. The paramedical qualifications granted by Indian Medical institutions, which the Indian in the regarding in the Medical Council Act. 1956 (No. 102 of 1956) shall be recognized paramedical qualifications for the purposes of this Act. () The paramedical qualification granted by medical institutions outside India which are included in the Schedule to the Medical Council Act, 1956 (No. 102 of 1956) shall be recognized paramedical qualifications for the purpose of this Act. (2) The State Government after consultation with the Council may by notification in the Official Gazette the Schedule by adding that an entry be made therein in respect of any paramedical qualification declaring that it shall be recognized paramedical qualification only when granted before a specified date. (3) Where the Council has refused to recommend any paramedical qualification which has been proposed for recognition by any Authority referred to in Sub-section (2) and that Authority applies to the State Government in this behalf, the State Government after considering such application and after obtaining from the Council a report, if any, as to the reasons for any such refusal may by notification in the Official Gazette the Schedule so as to include such qualification therein and the provision of sub-section (2) shall apply to such notification Any Paramedical institution in India which desires a paramedical qualification granted by it to be included in the Schedule, may apply to the State Government with such application fees as may be fixed by regulation to have such qualification recognized and the State Government after consulting the Council, may by notification in the official Gazette amend the schedule as to include such qualification therein. and any such notification may also direct that an entry shall be made in the last column of Schedule against such paramedical qualification declaring that it shall be a recognized paramedical qualification only when granted after a specified date Every University of paramedical institution in India which grants a recognized paramedical qualification. shall furnish such information as the Council may. from time to time require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualifications conferred and generally as to the requirements for obtaining such qualification. The Council shall cause all Paramedical Institutions to be inspected as and when deemed necessary (1) If it appears to the Council- 32 (a) that the courses the study and examination to be undergone in or the proficiency required from candidates at any examination held by any University or paramedical institution; or (b) that the staff, equipment, accommodation, training and other facilities for instruction and training provided in such University or institution or in any college or other institution affiliated to that University do not conform to the standards prescribed by the Council, The Council shall take action for the withdrawal of recognition. (2) Before withdrawal of recognition the council shall send a show cause notice to the paramedical institution or University specifying the period within which the reply shall be submitted (3) On receipt of the reply or where no reply is submitted within the period specified the show cause notice then on the expiry of that period the Council shall take decision in the matter. Council may prescribe the minimum standards of paramedical education required for granting recognized paramedical qualifications (other than post graduate paramedical University or Paramedical Institutions in India. CHAPTER REGISTRAR AND OTHER OFFICERS AND SERVANTS (1) The Council shall, with the prior approval of the State Government, appoint a Registrar who shall act as Secretary of the Council. (2) The Council may, with the prior approval of the State Government, employ such other officers and servants as it may deem necessary for carrying out the provisions of this Act. (3) The qualifications, conditions of service and pay scale of Registrar and of other officers and servants shall be such as the Council may determine by regulations, with the prior approval of the State Government (4) The council shall require and take from the or from any other officer such security for the due performance of his duties as the Council may deem necessary _ (5) Registrar or any other officer or servant appointed by the Council under this Section shall be deemed to be a public servant within the meaning of Section 2 of the Indian Penal Code 1860 (No. 45 of 1860). It shall be the duty of the Registrar keep the State Register in accordance with the provisions of this Act and of any order made by the Council. to

reverse if it is found to be in such as may be prescribed by regulations. to publish in the gazette, and to discharge such other functions as are or may be required to be discharged by him under this Act and the Rules and Standards of Paramedical Education. Registrar and other Officers and Servants of Council. Duties of 2) - Registrar shall see that the State Register as possible correct at all times and may furnish the necessary information. or qualifications of the Registered Practitioners : address (3) Registrar may remove the State the of Registrar's name who dies or resigns or is directed to be removed the State Register or who ceases to be a Paramedical Practitioner (Receipt of from the practitioner that the 35 fund of the Council has not ceased to participate then the Registrar to restore the name of such practitioner, the State Registrar and the Registrar shall comply with such direction CHAPTER - VII OF COUNCIL (1) Council shall establish a Fund to be called the fund of the Council (2) following shall form a part of or be paid into the fund of the Council - (3) Any or grant by Central or State (b) Income of the Council sources including : (a) Interest and (c) Trust, donations, or grants. If (d) All other sources received by the Council fund of the Council shall be applicable to the objects : (a) to the repayment of debts accumulated by the Council for the purposes of the Act and Rules and made thereunder, (b) to the expenses and (c) to the proceedings of the Council and to the officers and servants in such manner as may be prescribed (2) The accounts of the Council shall be audited by a registered chartered accountant The audit fee of the chartered accountant shall be fixed by the Council from time to time as per the regulations : (3) As soon as the accounts of the Council are audited the Council shall send a copy thereof, together with a copy of the report of the Director Education to the State Government in such manner as may be prescribed.) Registrar shall cause to be prepared, in such form as may be prescribed, a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure and shall cause it to be laid before the Council together with, and such manner as may be prescribed (2) Within fifteen days from the date of the which the budget passed. It shall be forwarded to the State Government. If the State is of the view that the provisions of the budget so forwarded to it are not adequate for the purposes of this Act, it shall return the budget to the Council for such modification, as may be suggested by the State Government (4) The Council shall be empowered to re-appropriate such amounts as may be necessary one head to another and such heads or sub-heads (5) The Council as may be required, pass a supplementary budget in such form and by such date as may be prescribed and the provisions of Sub-section (3) and (4) shall apply such budget. REGISTRATION STATE REGISTER and State Registrar (1) Every person possessing a recognized qualification shall be eligible for enrolment on the State Register on payment to the Registrar of such fee of not exceeding five hundred rupees as may be and fee be prescribed for different qualifications (2) The Council shall cause to be established a State Register of Paramedical Practitioners such form as may be prescribed by regulations : (3) The Registrar shall keep and maintain the State Register in accordance with the provisions of this Act and of any order and directions to revise the Register and publish it in the and in such manner as may be decided by the Council (4) The Registrar shall maintain a register of the names of the persons who have been removed from the State Register under the provisions of the Act. 872 of [872]. the Registrar or the Registrar of the Yashwantrao Chavan Pratishthan State the other a character and name of the persons in the State shall be maintained in the State Register of the Court professional respect by or on the vote of the Council. Precedence that an order shall be passed under of the) The Registrar shall hear and into order State Register in the of the Council : (a) the Registrar or the Registrar (2) (the for a Practitioner, the for which the under the SCC. (3) The Council shall cause to be established a State Register of Paramedical Practitioners such form as may be prescribed by regulations : (4) The Registrar shall keep and maintain the State Register in accordance with the provisions of this Act and of any order and directions to revise the Register and publish it in the and in such manner as may be decided by the Council (5) The Registrar shall maintain a register of the names of the persons who have been removed from the State Register under the provisions of the Act. 11 of [11]. the Registrar or the Registrar of the Yashwantrao Chavan Pratishthan CHAPTER - LX RULES AND REGULATIONS (1) The State may make rules to carry out the purposes of this Act. (2) All rules made under this Act shall be laid on the table of the Vidhan Sabha () Council may with the previous sanction of the State Government and subject to rules made under Section 45 make regulations to carry out the purposes of this Act, and without prejudice to the generality of foregoing power, such regulations may provide for (a) the management of the property of the Council and the maintenance and audit of its accounts; (b) the manner of election of five members from the paramedical practitioners under clause (xi) of Sub-section (1) of Section 4; (c) the resignation by nominated or elected members of the Council; (d) the power and duties of the President and Vice-President; (e) the mode of appointment of committees, the summoning and holding of meetings and the conduct of business of such committees; (f) the travelling and other allowances payable to the members of the Council under Sub-section (1) of Section 20; (g) (i) the manner to hear and decide appeals from the decision of the Registrar under clause (b) of Sub-section (2) of Section 23, (ii) the code of ethics for the professional conduct under clause (c) of Sub-section (2) of Section 23 (h) The qualifications, the conditions of service and pay scale

of the Registrar and other officers and servants under Sub-section (3) of Section 33, (i) the lilanner of revision of State Register under Sub-section (1) of Section 34, (j) T h'e fonn of State Register under sub-section (1) of Section 39. (k) any other \natter for which under this Act provision be Inade by regula (2) The State Govenunent. on receiving regulations for sanction naav sanction then* subject to such :nodifications as it may think fit or return then to the C uncit for reconsider-au Qli (3) All shall re published in the gazette Power to lilake Power to tnoke regulations. Penalty for dishonest use of certificate. tuformation to be fur nished by council. Power to Schedule. Cognizance or OMence. Control by stat* Govern t.' ent 47. 48. 49. 50 51 (4) The State Government cancel any rtgulaon MISCELLANEOUS Any person who - (a) dishonestly makes use of any certificate of ræistration granted under this Act. or (b) procures or attempts to procure registration under the provisions of this -\CI by luaking or producing, or causing to be Inade or produced any false or tiz•udulent declaration, certificate or representation wh' lher in writing or otherw-i or (c) willfillly makes or causes to be made any false representation in any Inarter relating to certificate of registration issued under the provisions of this Act Shall on conviction, be punishable with inprisonment which extend to 'nonths or with fine which Inay extend to twenty thousand rupees or with both The Council shall fi2rnish such r40rts copies of its tminutes, abstracts of its accounts and other information to the State Govenunent as the State Governnænt rna:, requi re lthe State Government may by notification, amend the Schedule so to Include there in any subject not already specified therein or ornit therefr01n any subject or modiö' the description of any subject (1) No court shali take cognizance of an offence punishable under this Act _ except upon complaint in writing made by the Registrar or any other officer authori zed by the Council in this behalf by general or special order. (2) No court inferior to that of a Inagistrate of first class Shail try any offence punishable under this Act. If at any time it appears to the State Government that the Council has exercise or has exceeded or abused any of the powers conferred upon it under this Act, or has failed to perform any of the duties inposed upon it by 05 under this Act, the State Government 'nay, if it considers such failure excess oe- abuse to ot a senous character. noti& the particulars thereof to the Council. requiræ It to reni- edy such failure, excess or abuse within such peliod as 'nay be specified the the State Government may dissolve the Council and cause all or any of the pov. ers and the duties of the Councn to be exercised and performed by such person zr.d For such period not exceeding two years as It •nay think fit and shall take steps to into a new Council SCHEDULE i See Section 2 I C curse 5 6 S 11 . ryslo:herao:. Soec.Äi Course 1-2bora:ery (Vanous types .X•Rav Techn.aatiRad:ographer Techruclars Ortho Techeic•aas Recon-; Cialt-.'r.ä Cali'.:ra Orthotic (.htcme:rl 't Contact Lens Tcå'.; . * _ Clap. ECO - 24 25 28 29 30. 31 ('Olupounder (Altop2d1Yi Ayurveda, Unatu, HQlneopathy) Convounder in Biochetny• Diploena in Clinical Biochemistry MreroblQlogy Pathology Optonletry refraction Ophthahnic Assistant Perfisionist,'Cardiac Surgery TechlMcian Cath lab Technician.