

अधिसूचना

17 सितम्बर, 2010

उपरोक्त अधिसूचना का अंग्रेजी में निम्नांकित अनुवाद झारखण्ड राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है, जो भारतीय संविधान के अनुच्छेद-348 के खण्ड-(3) के अधीन अंग्रेजी भाषा का अधिकृत पाठ समझा जाएगा।

झारखण्ड राज्यपाल के आदेश से,

डी० के० तिवारी,
सरकार के सचिव।

Department of Health, Medical Education & Family Welfare**NOTIFICATION**The 17th September, 2010

No.-7(A)/ParaMed.-11-09/09-356(7A)--The Government of Jharkhand in exercise of Powers conferred under Article 162 of the Constitution of India do hereby notify Jharkhand Para Medical/Para Dental Registration, Control & Conduct of Examination Rules, 2010 for regularizing Para Medical/Para Dental Registration, Control & Conduct of Examination and Constitution of Para Medical Council under Department of Health, Medical Education and Family Welfare, Government of Jharkhand.

1. Short title extent and commencement:-

- These rules will be called as Jharkhand Para Medical/Para Dental Registration, Control & Conduct of Examination Rules, 2010.
- These rules will have jurisdiction in the whole of State of Jharkhand.
- These rules shall come in force with immediate effect.
- This will hold good on all pre existing Para Medical/Para Dental institutes as well as those which will be established/started in future.

2. Definitions:- Unless excluded by reference or otherwise

- 'Para Medical/Para Dental' shall mean courses running/to be run in future of Physiotherapy, Occupational Therapy, Orthatic and Prosthetic, Operation Theatre Assistant, Ophthalmic Assistant, Medical Laboratory Technician, Sanitary Inspector, X-ray Technician, Dental Mechanic, Dental Hygienist, Dressor, Hearing, Language and Speech Therapy, E.C.G. Technician, Diploma in Pharmacy, Diploma in Ayurvedic Pharmacy and such other courses notified by the State Government from time to time but not conducted under any other Rule/Regulation/Act of State/Central Government.
- 'Council' shall mean 'Jharkhand State Paramedical Council constituted under these Rules
- 'Board' shall mean the Governing Board, constituted under Rule-4 of the constituted Para Medical Council.
- 'Courses' shall mean courses related with Certificate and Diploma examinations of Para Medical/Para Dental institutes.

- (e) 'Controller of Examination' shall mean Office/Institute/Officer specially appointed by the Chairman, Para Medical Council for the conduct of examinations of different courses.
- (f) 'Rules' shall mean' Jharkhand Para Medical/Para Dental Registration, Control and Conduct of examinations and Constitution of Para Medical council rule 2010.
- (g) 'Government' shall mean Government of Jharkhand.
- (h) 'Examinations' shall mean examinations related during and after the period of training of Para Medical/Para Dental courses.
- (i) 'Examination Board' shall mean 'Board', constituted/nominated by the Governing Council under rule 5(d).
- (j) 'Executive Director' shall mean Head of the Executive Committee of the Council and he shall be Member Secretary of the Council.

3. Establishment and Control of Para Medical and Para Dental Institutions:- No person/Trust/Institution/Organization Society or any other Authority shall establish or operate any Institution for training in Para Medical/Para Dental Courses contrary to the provisions of this Rule.

Provided that the provisions of this Rule shall be deemed to be non-effective on such courses/syllabi's where there exists any standards/courses or other conditions for any course/syllabi's by the Medical Council of India/Dental Council of India/Rehabilitation Council of India/Pharmacy Council of India and these prescribed provisions shall hold good on those courses.

4. Para Medical Council/Governing Board:-

The objectives of the Council will be as follows:

1. To Register all Para Medicals in Jharkhand State
2. To make an arrangements for conduct of Para Medical Diploma Courses of Allopathic/Dental/AYUSH streams of Medical Science in the State of Jharkhand & affiliation of Govt. & Private institutions for these courses.
3. To conduct examinations of Para Medical/Para Dental Courses & to award Diploma and Certificate for such courses.

(i) Members of the Governing Board:-

There shall be a Governing Board comprising of the following members:-

(a) Ex-officio Members:-

1	Director-in-Chief, Health Services, Jharkhand	Chairman
2	Director, Medical Education, Jharkhand.	Vice-Chairman
3	Director, Health Services, Jharkhand	Member
4	Director (AYUSH), Jharkhand	Member
5	Controller, State Council for Technical Diploma Examination Board (Science & Technology Deptt.) Jharkhand	Member
6	Any Gazetted Officer nominated by the Deptt. of Health, Govt. of Jharkhand, Ranchi, who has the qualifications as mentioned in Rule 8.	Member-Secretary

(b) Nominated Members:-

1	Director, RIMS, Ranchi	Member
2	Principal, Govt. Ayurvedic College, Chaibasa, Jharkhand.	Member
3	Head of Deptt. of Orthopaedics, RIMS, Ranchi	Member

4	Co-ordinators of Para Medical Courses of all the three Medical College of the State	Member
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(ii) In absence of the Chairman of the Board, the Vice-Chairman of the Board shall discharge the duties/work of the Chairman.

(iii) Disqualifications:-

Any person shall not be eligible for nomination or election as a member of the council if he is having any one of the following disqualifications:-

- he is not a citizen of India
- he is a declared bankrupt
- he is of unsound mind
- he is convicted of moral turpitude
- he is an employee of the council and is being paid salary or honorarium from the council.
- His name has been struck off from the register of registered Doctors/Para Medicals.

5. Duties of Para Medical Council:-

(a) The Governing Board can make necessary sub rules for its working and to achieve the objectives of the Para Medical Council. The copies of all such sub-rules shall be sent to the State Government.

(b) **Registration Council(Board of Registration):-** A Board of Registration, shall be constituted by the Governing Board which shall register all Qualified Para Medics. It will be necessary for the Para Medics to acquire the following Qualifications before their registration.

- Successful candidates of all courses certified by the Jharkhand Para Medical Council.
- Successful candidates of courses conducted by Paramedical council of other States.
- Successful candidates of courses conducted by the C.M.A.I.
- Successful candidates of courses conducted by the Universities recognized by the University Grant Commission.
- Successful candidates duly certified from other Para medical Councils of national repute which are approved by the Governing Board.

(c) **Committee of Paramedical Education:-**

The Governing Board shall constitute a committee of Paramedical Education for looking after the quality/standards of the teaching work under Para Medical Council and its duties shall be as follows:

- To prepare/frame examination system and structure of courses after evaluating the need of Para medical courses in the State.
- To frame guidelines and standards for infrastructure for theory and practical classes, duration of course, age-limit and admission to the Para Medical courses.
- To take action on applications of Government/Private Para Medical institutes for recognition.
- To inspect periodically the institutes for ensuring standards.

(d) **Paramedical Examination Board:-**

A Paramedical Examination Board shall be constituted or nominated by the Governing Board, whose duties shall be as follows:-

- to conduct examinations itself or by outsourcing and issue certificates to successful candidates.
- To approve the examination Centres
- To Constitute Panel of examiners for examinations
- To organize & conduct entrance examination for courses or to determinate a suitable alternative method for entrance to the courses.

(e) **Administrative functions of the Council:-**

The Council shall have the following administrative function other than work defined under Section 5.

- (i) To appoint of Educational Co-ordinator from educational Institutes for different courses.
- (ii) To ensure operation of Saving Bank account in the name of 'Jharkhand Para Medical Council' in a Nationalized Bank jointly by the Member Secretary and a member duly nominated by the Board.
- (iii) To determine the fee structure for different courses in Para Medical/Para Dental institutes of Government/Private Sector and fixation of upper limit of the fees.
- (iv) To receive the examination fees from students of affiliated colleges.
- (v) To get the accounts of Para Medical Board audited etc. by the auditor duly appointed by the State Government every year.

6. Conduct of Diploma Courses:-

The following Diploma Courses shall be conducted by the registered institutions.

1	Physiotherapy	-	DPT (Diploma in Physiotherapy)
2	Occupational therapy	-	DOT (Diploma in Occupational Therapy)
3	Operation Theatre Assistant	-	DOTA (Dip. in Op. Th. Asstt.)
4	Ophthalmic Assistant	-	DOA (Dip. in Oph. Asstt.)
5	Medical Laboratory Technician	-	DMLT (Dip. in Med. Lab. Tech.)
6	Sanitary Inspector	-	DSI (Dip. in Sanitary Inspector)
7	X-ray Technician	-	DMR (Dip. in Medical Radiography)
8	E.C.G. Technician	-	DECG (Dip. in ECG)
9	Hearing Language & Speech Therapy	-	DLHS (Dip. in Hearing Language & Speech Therapy)
10	Orthotic & Prosthetic	-	DPO (Dip. in Orth. & Prosth.)
11	Diploma in Pharmacy	-	D. Pharma (Dip. in Pharmacy)
12	Diploma in Ayurvedic Pharmacy	-	D. Pharma (Ayurvedic Pharmacy)

The Council may include any other Diploma Course in other subjects depending on the requirement and utility of the same in the Health Services after considering the proposal in Governing Board.

7. Meeting of the Governing Board: The meeting of Governing Board shall be convened once at least in six months. Such meeting shall be convened by the Member Secretary and shall be chaired by the Chairman of the Board.

8. The recruitment, Qualification etc. of Executive Director: One of the member amongst the Ex-officio members shall be nominated as Member Secretary by the Governing Board and he shall officiate as Executive Director. The qualification criteria for the Executive Director cum Member Secretary shall be as follows:-

- (i) Working experience of 15 years in State Health/Medical Education Cadre.
- (ii) Diploma or Post graduate Degree in any discipline after MBBS.

9. The recruitment of regular staff for the help of the Executive Director: In order to assist the Executive Director, following personnel shall be provided:-

- (i) **Registrar:-** He will be posted on deputation amongst officers of Assistant Professor rank of Medical Colleges.

- (ii) **Academic Co. ordinator**:- He shall be in-charge of educational board of the council. This post too shall be filled from Assistant Professor Rank officers of Medical Colleges on deputation.
- (iii) **Controller of Examination**:- This post shall be filled from Assistant Professor rank officers of Medical Colleges on deputation.
- (iv) **Accounts Officer**:- This post shall be filled either by appointment or by deputation.
- (v) As per requirement, the posts of Administrative Officer, Office Assistant cum Computer Operators, Orderlies, Drivers etc. shall be created by the Council but all these post shall be filled on contract/out sourcing basis.

10. The Governing Board shall establish the office of the Council at a notified place.

11. The Executive Director cum Member Secretary shall constitute an Executive Committee for Council's work as follows:-

1	Executive Director-cum-Member Secretary	-	Chairman/Chairperson
2	Registrar, Para medical Council	-	Member
3	Academic Co-ordinator	-	Member
4	Controller of Examination, Para Medical Council	-	Member
5	Co ordinators of different courses	-	Member

12. Course Convenor:-

- (i) For every course of the Para Medical courses conducted by the Para Medical Council, a Convenor shall be appointed.
- (ii) The post of Convenor shall be Honorary and its tenure shall be of 3 years.
- (iii) The Convenor shall be of the level of Assistant Professor of the concerned course.
- (iv) Academic Co-ordinator will recommend the names of Convenors and the Governing Board will approve them.
- (v) The Convenor shall be directly responsible to the academic Co ordinator.

13. Duties of Course Convenor:-

- (i) To formulate of courses and system of examinations
- (ii) To determine of minimum eligibility criteria for admission of students and standards for conducting the courses in an Institute.
- (iii) To help Academic Co-ordinator in ensuring the standards of teaching work of Institute(s).
- (iv) To help Controller of Examination in setting papers for theory examinations and in conducting the practical examinations.
- (v) To help the Registrar in evaluation of similar courses conducted by other councils/Universities and their registration thereafter.
- (vi) If the Convenors are not in State Govt. service they shall be paid Honorarium and travelling allowances for discharge of duties.

14. Financial support to Paramedical Council:-

- (i) The Jharkhand Government shall provide one time grant of Rupees Ten Lakhs(10,00,000/-) only to the Council.
- (ii) The Executive Director-cum-Member Secretary shall be delegated with financial powers in the meeting of Governing Board and a decision to open bank account in Nationalized Bank shall be taken.
- (iii) The Executive Director shall present the Budget of the council before the Governing Board within 3 months of Constitution of the Council.

(iv) The paramedical council shall be self financed organization and shall receive funds from the following sources as determined by the council from time to time.

- (a) From registration of working Para Medicals/Para Medicals, desirous of working in the State of Jharkhand.
- (b) From fees received from Para Medical Institutes for their affiliation.
- (c) From Examination Fees.
- (d) From any other Fees/Fund, which the Governing Board approves.

15. Application:-

If any person, Trust, Organization, Society, Company or Institute is interested in starting Para Medical/Para Dental course or wants to start a new or a higher or a training course for Para Medical/Para Dental study or wants to increase the intake(admission) capacity of any course/training, then he(it) shall have to abide with the provisions of the Rules and shall apply with relevant details to the Executive Director as follow:-

- (1) For establishing New Para Medical/Para Dental Institute, application form to be submitted in Proforma-I.
- (2) For starting a new or a higher course or a training course, application form to be submitted in Proforma-II.
- (3) For increase in annual intake (admission) capacity of any course/training in that Institute application form to be submitted in Proforma-III.

16. Fees:-

1. Following fees shall be paid by way of Demand Draft in the name of Executive Director, Jharkhand Para Medical Council.
 - (a) For establishing New Institute-Rs. 50,000/-(Fifty thousand)
 - (b) For increase in course or annual intake (admission) capacity For each course - Rs.20000/-(Twenty thousand).
 - (c) It shall be mandatory for each recognized institute to pay Rs.5000/-(Five thousand) only by 31st December of preceding year for the general inspection for each calendar year.

The Council may revise the above mentioned fees in all categories from time to time.

17. Inspection prior to Recognition:- On receipt of application form with prescribed fees, the Executive Director shall constitute an Expert Committee to inspect the site of proposed Institution to ascertain whether the proposed Institute fulfills minimum prescribed/required criteria under this Rule. Such inspection shall ordinarily be completed within 3 months of the submission of application. If the same is not completed due to unforeseen reasons, the Executive Director shall have the power to extend the time limit.

18. Guarantee of Recognition:-

The applicant shall undertake guarantee that;

- i. Establishment of Institute & its operation shall not be for personal benefit.
- ii. Any change in management shall be intimated to the State Government within 15 days of such change.
- iii. All receipts - in any form shall be incorporated in the Fund of the Institute and shall form part of the revenue of the Institute.
- iv. It shall be mandatory to get the receipt and expenditure of the Institute audited by a recognized Chartered Accountant every year.

- v. Any capitation fees in any form shall not be realized from the student/guardian.
- vi. Any Officer duly authorized by a general or special order of the Board/Council shall be free to withdraw the accorded recognition / affiliation of the Institute in case the conditions/guidelines/prescribed standard under this Rule is not followed by the Para Medical/Para Dental Institute.

19. Recognition:-

- (i) After thorough consideration of the inspection report submitted by the Expert Committee constituted under Rule 17, the Council shall decide the matter of granting affiliation/recognition to the concerned Institute.
- (ii) After the grant of affiliation/recognition, the Expert committee shall inspect all Para Medical/Para Dental Institute every year for at least 5 years from the date of recognition. On the report of this committee, the council can stop admission in the concerned Institute or cancel the recognition granted.
- (iii) All such Para medical/Para dental Institutes, which are running after approval of the State Government, shall be granted one year time from the date of Notification of this Rule to meet the prescribed minimum standards under this Rule. After the expiry of this time limit, all such Institute shall apply in the prescribed proforma afresh for recognition within a period of one month and no student shall be admitted till such time recognition is granted under this Rule by the Council; But the council shall take decision on the point of granting recognition to such Institutes within a period of 3 months from the date of receipt of application.
- (iv) If the council does not grant recognition under this Rule after considering the receipted application, the organizers of the Institute shall close the Institute within 3 months of communication of refusal of granting recognition.
- (v) The council can authorize any officer to inspect and enter into the premises of such Institute which do not follow the provisions of this Rule in order to enforce the provisions of this Rule and such officer shall be empowered to close or seal the Institute.

20. Compensation:-

1. Any person or Institute violating any of the provisions of this Rule shall be responsible to compensate for a maximum amount of Rupees Ten Thousand (Rs.10000/-) only for each occasion.
2. The council shall be free to cancel the granted Diploma/Certificate or recognition granted under this Rule if there is violation of any letter/provision/sub-rule issued by the council under this Rule.

21. Minimum standards for Paramedical/Paradental Educational Institutes:-

Any person/Trust/Institute/Society etc. who is interested in establishing a Paramedical/Para dental Institute for training in any course shall have to fulfill the requirements and other needed facilities alongwith Land, Building, Training Area, Laboratory, Library, Instrument, Museum, Furniture, Principal/Teacher, Staffs, Non teaching employees, study material, residential area etc. which are necessary for any special course or a group of courses as notified by the Paramedical Academic council for information to general public.

22. Instrument/Museum/Library/Laboratory/Furniture:- An Institute shall arrange for the Instruments/essential things/museum/Library/Laboratory/Furniture etc. for all courses

as decided by the Expert Committee for considering the grant of recognition for conducting Para medical/Para dental course(s).

23. Powers to make Sub-rules:-

For the fulfillment of the objectives of these rules Council may frame Programmes/Courses/Policy as per the need & frame necessary sub-rules & may pass any order under these rules.

24. Inspection & Enquiry:-

(i) Any officer/employee duly authorized by the Council may inspect & make inquiry about a registered or unregistered institution/building/place which is working or said to be working in any manner for Para Medical/Para Dental education. Such Institution/Building/Place may be sealed if found working in violation of any provision or rules or order under these rules.

(ii) Any Deputy Commissioner, Sub Divisional Officer or Civil Surgeon may inspect any Institution/Place under this rule and may Seal the premise/buildings taking legal action against persons/institution working in violation of the rules framed by the Council.

25. State Government decision shall be final in respect of any dispute related to Para Medical/Para Dental institutions in Private Sector & its decision shall be applicable to all institutions in just manner. For the purpose of fulfillment of the objectives of these rules, the Council may give necessary suggestions to the State Govt.

26. For the improvement of health services and health education the State Govt. may give such directions to Para Medical Council whose compliance shall be obligatory.

27. For the betterment of health education & for the improvement of working quality of employees in health services, Para Medical Council may frame/organize programme/syllabi & give affiliation to Govt./Non Govt. institutions for their execution.

28. Including the Grants received under rule 14(1), the Para Medical Council shall regulate its financial management in such manner that it should be financially self reliant.

29. Any legal dispute arising in this context shall lie within the jurisdiction of Hon'ble High Court, Jharkhand.

By the Order of Governor, Jharkhand

D. K. Tiwari,
Secretary to Government.