



## **HARYANA STATE LAW COMMISSION**

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### **TWENTY FIFTH REPORT**

#### **Recommendation to amend Sections 21 and 22 of the Haryana State Council for Physiotherapy Act, 2020.**

**Government of Haryana**

# **HARYANA STATE LAW COMMISSION**

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Chairperson**

**Mr. Inderjeet Mehta,  
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Registrar**

**Government of Haryana**

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**16<sup>th</sup> May, 2025**

Armed Forces serve at the border for the defence of the country so that the civilians inside the country may live fearlessly and do their work in peaceful atmosphere. The services of the Armed Forces personnel cannot be left unceremoniously and unutilised.

Every year, large number of service personnel get retired from the Armed Forces at a comparatively young age. In recognition of Services rendered by them for the defence of the country, they needed to be rehabilitated into civilian jobs or settled in their own business after retirement. It needs no

emphasis that the ex-servicemen, by virtue of their experience and training in the Armed Forces, are fully competent and equipped for performing various civilian jobs.

No doubt, the Central and State Governments and the Public Sector Undertakings have made provisions to give reserved quota of employment to the ex-servicemen. But there is a wide gap between the rate of discharge of ex-servicemen from the Forces and the jobs reserved for them. It, therefore, needs considerable support and effort on the part of the Government to establish them in their own civilian professions immediately after release from the defence services.

The Directorate General of Employment and Training, Ministry of Labour have identified a number of technical trades of the Defence Forces and have equated them with the civilian occupations classified in the National Classification of Occupations. The purpose is to provide a comparative information about the job performance of the service personnel during their engagement in the Army vis-à-vis the civilian jobs/establishment. These information have been further updated and the Directorate General of Resettlement have

published a consolidated version of the Army, Navy and Air Force technical trades and comparable civilian jobs.

In the Armed Forces, trainings in various professions are imparted to the Armed Forces personnel. The Government of India (Ministry of Health) and certain State Governments/Union Territories have recognised training given to Class-II personnel as equivalent to recognised diploma/certificates granted by the civil authorities; whereas Diploma in Physiotherapy issued by the Major Rehabilitation and Physiotherapy Centre under Armed Forces Medical Service as well as Armed Forces (Army) Trade Proficiency Certificate for Ex-servicemen issued to them are not recognised by the Haryana State Council for Physiotherapy Act, 2020 (Act No.06 of 2020) (hereinafter called the Act of 2020). Section 22 of the Act of 2020 provides that the degree in Physiotherapy granted by a recognised university or by a recognised institution shall be sufficient qualification for enrolment in the register of the Council. Further, no person shall after the date of commencement of the said Act, is entitled to be enrolled in the register as a Physiotherapist unless he holds a recognised qualification. Therefore, the

Physiotherapist Ex-servicemen retiring from Armed Forces residing in Haryana are not entitled to practice as Physiotherapists in the State of Haryana as per Section 40 of the Act of 2020, despite the fact that they have a vast knowledge and experience of physiotherapy that they gained during their service in the Armed Forces.

The above discussion proves that the Physiotherapist Ex-serviceman cannot get himself enrolled in the register of Physiotherapists because his diploma or degree or training attained by him from the Armed Forces is not considered as a recognised qualification of Physiotherapy by the Act of 2020, as per Section 21.

Consequently, Ex-serviceman Physiotherapist cannot establish his own Physiotherapy Clinic or we can say cannot practice as a Physiotherapist in the State of Haryana as per Section 40 of the Act of 2020 nor can enjoy the Rights & Privileges of Physiotherapist as enshrined under Section 32 (a) to (d) of the Act of 2020, in the State of Haryana.

It may be mentioned here that the Government of Kerala, vide their order G.O.(Ms) No.2/2022/SJD dated 23.02.2022, examined the matter in detail and granted permission to the

retired Physiotherapists from Government Institutions/Defence Services having a minimum of 15 years' experience to be a Physiotherapist in a physiotherapy centre, if they possess any of the qualifications listed below: -

1. Degree in Physiotherapy.
2. Diploma in Physiotherapy from an institution recognized by the State.
3. Training given to Physiotherapist assistant Class II Armed Forces.
4. Leprosy Physiotherapist after one year training as General Physiotherapists.

This was done to implement the judgment dated 27.11.2020 given by the Hon'ble Kerala High Court in WP(C) No.26301 of 2020 (K) filed by Sri. Sathithilakan M.

Some other States i.e. Government of Madhya Pradesh, Government of Jammu & Kashmir, Government of Himachal Pradesh, Government of Rajasthan, etc. have also recognised the Diploma/Training Certificate in Physiotherapy issued by the Armed Forces Centre under the Armed Forces Medical

Services and Armed Forces (Army) Trade Proficiency Certificate for Ex-servicemen issued to the Ex-servicemen.

Non-recognition to the Ex-servicemen Physiotherapists for not practicing in Haryana leads to double loss i.e. loss of resources in the form of vast knowledge and experience to provide services to the society i.e. residents of Haryana and financial loss to the retired Physiotherapists Ex-servicemen.

In view of the above discussion, the Haryana State Law Commission has come to this point that to provide recognition to Physiotherapists Ex-servicemen residing in Haryana to practice as Physiotherapist in Haryana, Sections 21 & 22 of the Act of 2020 require to be amended as under: -

**“Recognition of Physiotherapy qualifications. -**

21. (1) The qualifications granted by any recognised university or institution in the State which are recognised by the Haryana State Physiotherapy Council or diploma/training certificate issued by Armed Forces Medical Services given to Physiotherapist Assistant Class I or II of Armed Forces with a minimum experience of fifteen (15) years as Physiotherapist shall be recognised



qualification for Physiotherapy and Physiotherapists after the date of commencement of this Act.

(2)    xxx            xxx            xxx            xxx

**Effect of recognition. -**

22.    (1) A degree in Physiotherapy granted by a recognised university or by a recognised institution or diploma/training certificate issued by Armed Forces Medical Services given to Physiotherapist Assistant Class I or II of Armed Forces with a minimum experience of fifteen (15) years as Physiotherapist in Armed Forces shall be sufficient qualification for enrolment in the register.

(2)    xxx            xxx            xxx            xxx

(3)    xxx            xxx            xxx            xxx

## **RECOMMENDATIONS**

In the light of the above discussion, the Haryana State Law Commission recommends the amendment in the Haryana State Council for Physiotherapy Act, 2020 (Haryana Act No. 6 of 2020) by amending sub-section (1) of Section 21 as well as sub-section (1) of Section 22. After the amendment, Section 21 and Section 22 of the Haryana State Council for Physiotherapy Act, 2020 shall read as under: -

### **“Recognition of Physiotherapy qualifications. -**

**“Section 21(1) -** The qualifications granted by any recognised university or institution in the State which are recognised by the Haryana State Physiotherapy Council or diploma/training certificate issued by Armed Forces Medical Services given to Physiotherapist Assistant Class I or II of Armed Forces with a minimum experience of fifteen (15) years as Physiotherapist shall be recognised qualification for Physiotherapy and Physiotherapists after the date of commencement of this Act.

(2) Any recognised university or institution in India other than the State of Haryana which grants qualifications in Physiotherapy may apply to the Council seeking recognition of the Physiotherapy qualification being imparted by them. The Council shall further submit the proposal to the Government along with its recommendation to grant recognition to the Physiotherapy qualification provided by such recognised university or institution, by notification in the Official Gazette.

**Effect of recognition. -**

**Section 22 (1)** - A degree in Physiotherapy granted by a recognised university or by a recognised institution or diploma/training certificate issued by Armed Forces Medical Services given to Physiotherapist Assistant Class I or II of Armed Forces with a minimum experience of fifteen (15) years as Physiotherapist in Armed Forces shall be sufficient qualification for enrolment in the register.

(2) No person shall after the date of commencement of this Act, be entitled to be enrolled in the register as a Physiotherapist unless he holds a recognized qualification:

Provided that in case of a dispute as to whether a person is entitled to be enrolled, the matter shall be referred to the Equivalence and Registration Committee which shall consider the reference and make recommendations to the Executive Committee, whose decision shall be final.

(3) Notwithstanding anything contained in subsection (1), -

(a) a citizen of India holding a qualification which entitles him to be registered with any Council of Physiotherapy in any foreign country recognized by the Government of that country, may with the approval of the Council, be enrolled temporarily in the register till the said qualification is recognized by the respective country.

(b) a person not being a citizen of India who is employed as a Physiotherapy teacher in any hospital or institution in India recognized by the Government of the concerned State or Union Territory, for the purpose of teaching, research or charitable work, may, with the approval of the President of the Council, be enrolled temporarily in the register, for such period, as may be specified:

Provided that such person shall not be allowed to practice as a general Physiotherapist and such teaching or work shall be limited to the hospital or institution to which he is attached:

Provided further that no such enrolment under clause (a) shall be permitted unless the Council satisfies itself that such person possesses the requisite knowledge and skill to practice Physiotherapy by conducting a screening test or such other test or examination, as may be prescribed.”

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