

SPEED POST

To,

19.12.2023

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Whole-time Member
Undergraduate Medical Education Board
National Medical Commission
Pocket- 14, Sector - 8,
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Reference - Various letters that were sent earlier directly and also through the offices of the Hon'ble Prime Minister of India, Hon'ble Health and Family Welfare Minister of India, and the National Medical Commission; and the recent in-person online meeting with the Secretary, National Medical Commission on 14.12.2023.

Regarding - Gazette notification Foreign Medical Graduate Licentiate Regulations, 2021 of 18th November 2021 (published on 22.11.2023) and various other notifications after which there is a lot of **inconsistency and contradiction**.

Subject - Future of thousands of Indian Medical Aspirants at risk due to **inconsistency and contradiction** in various notifications of the National Medical Commission.

Dear **Respected Madam**,

This letter is in continuation of the points I raised in my previous letters that were sent earlier directly and also through the offices of the Hon'ble Prime Minister of India, Hon'ble Health and Family Welfare Minister of India.

I am hoping you will discuss concerns raised by me in this letter with all the concerned and resolve the inconsistencies and contradictions in various notifications from the National Medical Commission.

I wholeheartedly welcomed the National Medical Commission on Foreign Medical Graduate Licentiate Regulations, 2021 right from day one; a big step for regulating better quality medical education for students in India and abroad; but there is a need for a soft approach to raise good doctors and especially those students who can ill-afford expensive Private medical education in India so prefer to go abroad (all NEET qualified students).

I kindly request you to go through the observations described as in **CHAPTERS - I to VI** on various Gazette Notifications, FAQ's and Public Notices as under: -

CHAPTER - I

(INCONSISTENCY AND CONTRADICTIONS IN THE ORDERS, NOTIFICATIONS, AND FAQ'S)

Let us revisit and understand various notifications issued by the National Medical Commission on and after 18.11.2021; and how these notifications can benefit or harm the medical education of Indian students studying abroad.

Multiple notifications as listed below from S. No. 1 to 7 are inconsistent and contradictory and can destroy the careers of thousands of students who have been studying medicine abroad since November 2021.

1. The National Medical Commission **Foreign Medical Graduate Licentiate Regulations, 2021** dated 18.11.2021; **READS** - The total duration of the foreign medical graduation course shall be completed within ten years from the date of joining the course.
2. **FAQ'S** - FMG covered by National Medical Commission (Foreign Medical Graduate Licentiate) Regulations 2021 dated 22.02.2022; **READS** - The total duration of the foreign medical graduation course shall be completed within ten years from the date of joining the course. (Reg. 2 (iv) of Schedule I of FMGL 2021)
3. The National Medical Commission Gazette Notification "**NMC, National Exit Test Regulations, 2023**" dated 27.06.2023; (though implementation of the National Exit Test (NExT) examination is deferred vide the National Medical Commission Public Notice Dated 13.7.2023) however the Gazette Notification **READS** - There is no restriction to the number of attempts to appear in **NExT Step-1** provided the candidate has passed both **NExT Step-1** and **NExT Step-2** Examination within 10 years of joining the MBBS Course.
4. The National Medical Commission, **the "Graduate Medical Education Regulations, 2023" or "GMER-23"** (UGMEB, 2023) Notification dated 02.06.2023; **READS:-** Provided under no circumstances the student shall be allowed more than four (04) attempts for first year (First Professional MBBS) and no student shall be allowed to continue undergraduate medical course after nine (09) years from the date of admission into the course. **IT FURTHER READS** - The student admitted into a Graduate Medical Education Programme shall not be deemed to have completed his graduation until he completes his rotating medical internship as per Compulsory Rotating Medical Internship Regulations, 2021.
5. The National Medical Commission; **Public Notice** dated 22.11.2023; **READS** - The time limit for appearing in **FMG Examination/ NExT** will be 10 years from the completion of their training/ course in Foreign Medical Institution.
6. The National Medical Commission Notification **Public Notice** dated 07.12.2023; **READS** - All FMG's shall have to complete their internship within 10 years from date of joining their Foreign Medical Institutions to procure qualification equivalent to MBBS in India.

7. The National Medical Commission; **Frequently Asked Questions** (FAQ's) related to FMG's with reference to the Public Notice dated 7th December, 2023 No. U-15024/9/2023- UGMEB dated 11.12.2023; **READS** – All FMG's shall have to complete their internship in India within 10 years of the date of joining their Foreign Medical Institutions.

Dear **Respected Madam,**

Going through the above summary of all the mentioned notifications; you can see the serious inconsistencies and contradictions in these orders, gazette notifications, and public notices that can be detrimental to the future of students.

From the 7 notifications and FAQ's mentioned above which two say the same meaning; I believe there is none of them.

While discussing in an online video conference with the Secretary, National Medical Commission agreed to my point that the Public Notices and the FAQ's cannot supersede any Gazette Notification.

Madam, the Secretary, National Medical Commission further told me that the Public Notice dated 22.11.2023 had some errors, and the same was rectified in the next notification and FAQ's dated 07.12.2023 and 11.12.2023.

Here, I believe that we correctly read all the Gazette Notifications issued by The National Medical Commission on and after 18.11.2023 and all the public notices or FAQ's issued on 22.11.2023, 07.12.2023 and 11.12.2023.

We still observe that the public notices and FAQ's issued on 22.11.2023, 07.12.2023, as well as 11.12.2023 all are inconsistent and contradictory to the Gazette Notifications. None of these are following the Gazette Notifications in true spirit.

Kindly do the needful to remove the anomalies that could harm the careers of Foreign Medical Graduates since they too are our people and wish to serve humanity.

I request the National Medical Commission to kindly review the Gazette Notifications issued by the National Medical Commission as well as **all the active Gazette Notifications** issued by the erstwhile Medical Council of India and do the needful to remove the anomalies there in.

CHAPTER - II
(THE CAP OF 10 YEARS ON THE FOREIGN MEDICAL COURSE)

The National Medical Commission has practically announced **Zero; negative Breathing time** for Foreign Medical Students and choked their career through various notifications that followed on and after 18.11.2023.

The National Medical Commission, Foreign Medical Graduate Licentiate Regulations, 2021 dated 18.11.2021 says - The total duration of the foreign medical graduation course shall be completed within ten years from the date of joining the course.

This condition was fine for the Foreign Medical Students, as is precedence in India too that a student studying 4.5 years in India is allowed to complete the whole course in 09 years; i.e. double the duration of the course, and Foreign Medical Graduate was allowed to complete the main course abroad for a period of 6 years followed by a minimum 1 year of internship in 10 years (that was practically, logically possible and correct).

The National Medical Commission, National Exit Test Regulations, 2023 dated 27.06.2023 is unfair for Foreign Medical Students that says - There is no restriction to the number of attempts to appear in NExT Step-1 **provided the candidate has passed both NExT Step-1 and NExT Step-2 Examination within 10 years of joining the MBBS Course.**

The National Exit Test Regulations, 2023 imposed the condition that the candidate has to pass both **NExT Step-1** and **NExT Step-2** Examinations within 10 years of joining the MBBS Course; that is fine for the Medical Students studying in India as they get a time of 4.5 years to clear both **NExT Step-1** and **NExT Step-2** Examinations after completion of their degree course of 4.5 years.

In The National Exit Test Regulations, 2023 the Medical Students studying abroad should have been given a separate window and not put in the same system as Medical Students studying in India.

While the course duration for Medical Students studying Abroad is such that they can not complete this condition at all, except for countries in the Indian sub-continent namely Sri Lanka, China, Bangladesh, and Nepal.

The National Medical Commission needs to understand that the duration of medical education in most of the CIS countries like Russia, Georgia, Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, etc. is longer than elsewhere. Please have a look at the same as under: -

- | | |
|--|---|
| 1) Duration of Course in Abroad | = 6 years |
| 2) Internship in Abroad | = 1 year or Residency up to 3 yrs
(In a few countries it is 2 to 3 years of residency in lieu of 1 year of internship) |
| 3) The licensing examination (Abroad) | = 6 Months (can take more time) |

TOTAL COURSE FOR FMG'S in ABROAD (1+2+3) = 7.5 years can go up to 9.5 years

4) NExT Step-1 = 9th to 11th Year
(Without any breathing period Foreign Medical Students has to appear for NExT Step-1 but it is not possible even in 10th Year; while the Gazette Notification says - There is no restriction to the number of attempts to appear in NExT Step-1 but the Foreign Medical Students may not even be able to get ONE chance within 10 years to appear for NExT Step-1)

5) CRMI Internship = 10th to 12th year
(While the Gazette Notification says - Medical colleges or institutions **may** allow up to 7.5 per cent of their permitted quota of interns to accommodate internship by Foreign Medical Graduates (only 7% seats reserved for FMGE) - this means all the Foreign Medical Graduates may not get space to join internship for a long time.

6) NExT Step-2 = 11th to 13th year
(Incase a CRMI seat is granted in time)

TOTAL COURSE FOR FMG'S UPTO NExT Step-2 (1+2+3+4+5+6) = 11 to 13 YEARS

This calculation will vary from country to country but even if a student clears everything in abroad as well as in India without any trouble, still he or she can not be able to reach for **NExT Step-2 in a minimum of 11 years**; though the fact is hardly every student will be able to reach the milestone without taking rest for even a single day.

- ✓ **The NMC Foreign Medical Graduate Licentiate Regulations, 2021** clearly says **the foreign medical graduation course** is to be completed in 10 years from the date of joining but why was such a contradictory change made in the shape of **The NMC National Exit Test Regulations 2023** about the cap of 10 years for completion of NExT examinations; without taking the actual course duration of Foreign Medical Graduates into consideration.
- ✓ Soon after the Draft for **the NMC National Exit Test Regulations 2023** was released, a lot of representations were sent to the Ministry of Health and Family Welfare and the National Medical Commission in the form of emails and letters, but it seems none has been taken seriously and into consideration.
- ✓ **Indian Medical Graduates** complete their **medical graduation course** in 4.5 years and get another 4.5 years to complete the internship in 9 years (**that is double the actual professional course**)

AND

Foreign Medical Graduates complete their medical education abroad in a minimum of 7.5 years to 9.5 years, so the FMG is granted **(-3) years** to complete the internship in 10 years.

This is going to have serious implications on the future and career of Foreign Medical Graduates; this all seems to have been drafted and designed for a disastrous result for Foreign Medical Graduates.

The NMC National Exit Test Regulations 2023 notification has been issued without going through the previous **records available with** the National Medical Commission; where the Foreign Medical Graduate degree records from

various countries are already with the National Medical Commission for decades and it is very easy for the National Medical Commission to know through these records about **the duration of basic MBBS equivalent course** in any country.

Though it seems to me a human error but if it is not rectified well in time (right now), it will be utter discrimination with the Foreign Medical Graduates of our country and harm their future.

The National Medical Commission needs to understand things and revisit the Gazette Notifications so that the necessary amendments can be done to make the law more transparent and result-oriented.

I request the National Medical Commission to review the whole system of Foreign Medical Education from the previous records of Erstwhile MCI and the present NMC and issue necessary directions for **amendments** in the **NMC - National Exit Test Regulations 2023** especially the cap of 10 years imposed on Foreign Medical students to qualify NExT Step-1 and NExT Step-2.

CHAPTER - III

(LICENSE TO PRACTICE MEDICINE AT PAR WITH THE LOCAL STUDENTS ABROAD)

The National Medical Commission, Foreign Medical Graduate Licentiate Regulations, 2021 dated 18.11.2021 says -

4. Grant of permanent registration to Foreign Medical Graduate- No foreign medical graduate shall be granted permanent registration, unless he has -
(b) registered with the respective professional regulatory body or otherwise, competent to grant license to practice medicine in their respective jurisdiction of the country in which the medical degree is awarded and at par with the license to practice medicine given to citizen of that country;

Let us assume the Indian students will obtain the license to practice medicine at par with the local citizens of that country but logically, legally and practically that is possible only if the Indian students study the course at par with the local students of that country.

The National Medical Commission, Foreign Medical Graduate Licentiate Regulations, 2021 dated 18.11.2021 further says -

(ii) Content of course or Training leading to primary medical qualification

(a) The course and internship or clinical clerkship shall commensurate with the MBBS course of India in accordance with the Regulations on Graduate Medical Education, 1997 and subsequent amendments thereto, and shall include the subjects mentioned therein as are duly recognised by the Commission under sub-section (2) of section 61 of the Act;

The question arises: - How can any country give the license to citizens of any country studying medicine in that country to practice medicine as registered medical practitioners at par with the one given to citizens of that country **while teaching the curriculum designed by a foreign country (in this case it is India)?**

In other words, teaching the curriculum not at par with the country but giving the license to practice medicine at par with local students.

This condition is practically, logically, and legally impossible for any country to implement.

The question arises; Do Australia, Canada, New Zealand, the United Kingdom and the United States of America follow the NMC Foreign Medical Graduate Licentiate Regulations, 2021, or The NMC National Exit Test Regulations 2023? No, they do not and will not; but still, they are given exemption from appearing in FMGE or NExT examinations. Why is there such discrimination against other countries?

We know the Indian students had been going to the former USSR constituent in Government of India nominations for decades. However, the same countries are said not to be good today.

Does this also mean that the doctors from these colleges who are practicing in India are not well-qualified professionals?

CHAPTER – IV

Graduate Medical Qualifications from Australia, Canada, New Zealand, UK and USA
exempted from Foreign Graduate Examination / NExT Examinations

Gazette Notification from the Medical Council of India No. F.No. MCI-12(2)/2010-Med.Misc./22383 dated 06.07.2011 - "Minimum qualifications for teachers in Medical Institutions (Amendment) Regulations, 2010".

Gazette Notification from the Medical Council of India No. MCI/203(9)/2011-Regn./51257 dated 20.12.2011; "Screening Test Regulations (Amendment), 2011"
READS -

"(4) Provided further that a person seeking provisional or permanent registration shall not have to qualify the Screening Test if he/she holds an Under Graduate medical qualification from Australia/ Canada/ New Zealand/ United Kingdom/ United States of America and the holder thereof also been awarded a Post Graduate medical qualification in Australia/ Canada/ New Zealand/ United Kingdom /United States of America and has been recognised for enrolment as medical practitioner in that country"."

The National Medical Commission, Foreign Medical Graduate Licentiate Regulations, 2021 dated 18.11.2021 says -

- Undergone a course leading to foreign medical degree with a minimum duration of fifty-four months.
- The course and internship or clinical clerkship shall commensurate with the MBBS course of India.

I request the National Medical Commission to study understand to review the above two Gazette Notifications issued by the erstwhile Medical Council of India and find the answer to the following-

- Do Australia, Canada, New Zealand, the United Kingdom, and the United States of America follow the NMC Foreign Medical Graduate Licentiate Regulations, 2021, and other NMC Regulations?
- Do Australia, Canada, New Zealand, the United Kingdom, and the United States of America follow the FMGL 2021 Regulations whereas most of these countries have 48 months of undergraduate medical course?
- Do Australia, Canada, New Zealand, the United Kingdom and the United States of America fulfill the requirement of the National Medical Commission regulations that include the period of education, subjects, and training in various disciplines as per the CBME curriculum, including the Family Adoption programme?

I believe that none of the above countries follow any of the Gazette Notification guidelines or requirements issued by the National Medical Commission and these too must be considered at par with other countries.

Why is there discrimination between Australia, Canada, New Zealand, the United Kingdom, the United States of America, and many other countries where Indian students used to go for Medical studies through nominations by the Government of India?

CHAPTER – V
Compulsory Rotating Medical Internship for Foreign Medical Graduates

The National Medical Commission **Compulsory Rotating Medical Internship Regulations**, 2021 dated 18.11.2021 **READS** - Medical colleges or institutions may allow up to 7.5 per cent of their permitted quota of interns to accommodate internship by Foreign Medical Graduates.

FAQ'S - National Medical Commission **Compulsory Rotating Medical Internship Regulations** 2021 dated 05.05.2022 **READS** – The internship shall be completed within 2 years of passing the Final MBBS or Foreign Medical Examination (FMGE) or NExT Step-1 Examination, whenever in force.

The National Medical Commission **National Exit Test Regulations, 2023** dated 27.06.2023; **READS** – There is no restriction to the number of attempts to appear in NExT Step-1 provided the candidate has passed both NExT Step-1 and NExT Step-2 Examination within 10 years of joining the MBBS Course.

So, the National Medical Commission Regulations directly say that a student must

- (i) Qualify **NExT Step-1** in the 8th year from the date of joining the MBBS equivalent course abroad.
- (ii) Complete the **Compulsory Rotating Medical Internship** in the 9th year from the date joining the MBBS equivalent course abroad and
- (iii) Qualify **NExT Step-2** in the 10th year from the date of joining the MBBS equivalent course abroad.

As we know every student returning from abroad can not be accommodated for Compulsory Rotating Medical Internship immediately after qualifying **NExT Step-1** because of the cap on seats for Compulsory Rotating Medical Internships for Foreign Medical Graduates.

It is too harsh for Foreign Medical Graduates having only 7.5% seats reserved for Compulsory Rotating Medical Internships in India.

It is going to be difficult for Foreign Medical Graduates to appear for **NExT Step-2** within **2 years of passing the Final MBBS or Foreign Medical Graduates Examination (FMGE) or Next Step-1** Examination failing which his or her whole period of education can be termed as null and void by the National Medical Commission.

I request the National Medical Commission to review the Gazette Notifications issued on and after 18.11.2023 to make the necessary amendments to remove the cap of 10 years for Foreign Medical Graduates to make it possible for the Foreign Medical Graduates to appear for the **NExT Step-1**, Compulsory Rotating Medical Internship and **NExT Step-2** examinations.

CHAPTER – VI
(THE NATIONAL MEDICAL COMMISSION)
FAQ's FROM THE NATIONAL MEDICAL EDUCATION REGULATOR

FAQ's are being issued by the National Medical Commission from time to time with the Disclaimer stating: These FAQ's are in the nature of explanations for ease of understanding of the general public and cannot be upheld in a court of law. Please refer to the relevant gazette notifications for legal validity.

Since the National Medical Commission is putting disclaimer on its own explanation of the rules and regulations formulated by the National Medical Commission itself; who else can be able to tell the aspirants about the correct explanation or interpretation of the rules and regulations formulated by the National Medical Commission?

Honestly as discussed above there is inconsistency and contradictions in various notifications and publications leading to a confused interpretation and explanation.

All the concerned and affected by the new rules and regulations as issued by the National Medical Commission are medical students, aspiring doctors and they cannot understand legal language but only simple language as used in the FAQ's.

- On one side the National Medical Commission, the regulator, is issuing gazette notifications and formulating laws to govern medical education in India and abroad for Indian students.
- On the other side issuing FAQ's with disclaimers without any responsibility of explanations published.
- None other than the National Medical Commission knows the actual meaning of the rules and regulations formulated by the National Medical Commission except the National Medical Commission.
- By issuing these kinds of notifications one can understand that the National Medical Commission does not want students to go abroad for medical education and is indirectly trying to tell the same.
- The way the National Medical Commission is issuing the notifications will not stop aspirants from going abroad but will impose huge loss of -
 - ✓ Precious time for aspiring students'/doctors' careers,
 - ✓ Loss of huge amount spent by their parents and
 - ✓ Extremely huge Forex reserves of the country

It is expected that the regulator shall have a deeper understanding of the impact of the policies rules and regulations before making them public because these regulations will have a serious impact on the future of thousands of young Indian medical aspirants.

The fundamental responsibility of the regulator, the National Medical Commission, is to formulate the rules & regulations for medical education and at the same time to educate about the meaning of such laws to the public through various means before their implementation.

In the absence of the proper and legally valid interpretation of the Regulations, the future of thousands of Indian Medical Aspirants is at risk.

Guidance to students going abroad for medical education must come from a government source, not any private source or medical institutions abroad; it has to be only the National Regulator that is the National Medical Commission.

Kindly do the needful to remove the anomalies that could harm the career of Foreign Medical Graduates; they are also Indian Citizens dreaming of serving humanity.

I request the National Medical Commission to review the Gazette Notifications issued by the National Medical Commission as well as **all the active Gazette Notifications** issued by the erstwhile Medical Council of India to make it better and easier for aspiring doctors.

Sincerely Yours,

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