APHC010000792025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

MONDAY,THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 229/2025

Between:

Chukka Divya Keerthana Reddy and Others **...PETITIONER(S)**

AND

The Ap Medical Council and Others **...RESPONDENT(S)**

Counsel for the Petitioner(S):

1. M R TAGORE
2. KASIM NAGASAIM
3. .

Counsel for the Respondent(S):

1. V V ANIL KUMAR
2. VIVEK CHANDRA SEKHAR S
3. GP FOR MEDICAL HEALTH FW

The Court made the following:

ORDER:-

Heard Sri M.R.Tagore, learned counsel for the petitioners, V.V.Anil Kumar, learned Standing Counsel appearing for the 1st respondent, learned Government Pleader for Medical Health and Family Welfare and Sri S.Vivek Chandra Sekhar, learned Standing Counsel appearing for the 4th respondent.

2. The writ petition is filed challenging the action of the 1st respondent in not issuing the Permanent Registration Certificates/Final Registration Certificate to the petitioners, even after successful completion of internship by the petitioners, as per their allotment orders, issued by the 1st respondent by following the National Medical Commission (Undergraduate Medical Education Board) Circular No. U.15024/01/2022-UGMEB, dated 09.05.2023.

3. The petitioners have pursued their MBBS course in foreign country. Each of the petitioners have pursued their course in different countries. The details of the respective academic years and the countries of their education is as follows.

Petitioner No.	Academic Year	Place
1	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
2	2016-2021	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
3	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
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5	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
6	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
7	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
8	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
9	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
10	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
11	2017-2022	Lyceum North Western University, Philippines.
12	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
13	2016-2022	OSH University, Kyrgyzstan.

14	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
15	2014-2020	OSH University, Kyrgyzstan.
16		
17	2018-2023	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
18	2016-2022	OSH University, Kyrgyzstan.
19	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
20	2018-2023	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
21		
22	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
23	2017-2022	Semey Medical University, Kazakhstan.
24	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.
25	2017-2022	International Higher School of Medicine at Bishkek, Capital City of Kyrgyz Republic (Kyrgyztan) Country.

4. It is contended that the eligibility to the foreign university is on the basis of the NEET qualification. The petitioners have completed foreign medical graduate course in medical doctor in foreign countries. After obtaining the study certificate from the foreign universities, the National Board of Examination in Medical Sciences has conducted Foreign Medical Graduate Examination (FMGE). The petitioners have appeared for the examination and got through the examination and certificates (Screening test pass certificate) to that effect were also issued.

5. After conduct of the said examination the National Medical Commission (Undergraduate Medical Examination Board) issued circular dated 09.05.2023 governing the conduct of internship for FMGs. The

petitioners have attended as per the said circular the minimum period of internship is 12 months and the maximum period is 2 years.

6. The petitioners were allotted internship and assigned them to a college. The petitioners were issued allotment order permitting them to undergo one year internship programme at the college mentioned under the allotment order. Thus the petitioners have undergone the apprenticeship. The petitioners have applied, after the completion of the apprenticeship of one year, for issuance of permanent registration certificate however the 1st respondent has refused to grant the certificate on the pretext that certificates are under verification.

7. The learned standing counsel Sri V.V.Anilkumar appearing for the 1st respondent argues that in the light of circulars issued by the National Medical Commission dated 09.05.2023 and 07.06.2024, which specifies that FMGs who have attended their classes online for any duration during their course completion are required to undergo a compulsory internship for a period of two/three years as specified under circular dated 09.05.2023, the petitioners must necessarily have to undergo 2 years internship. The same has been intimated to the respective universities by the 1st respondent herein. He submits that the 1st respondent is bound by the instructions of the government of India and since it was found that the students are obtaining certificates from the foreign universities fraudulently, the circulars were issued.

8. Considered the rival submissions and gone through the relevant circulars of the 4th respondent.

9. The medical profession, is something which requires practical knowledge and clinical training, which cannot be substituted by onlines classes. The regular medical course requires clinical skills training, dissections in laboratories to understand the human anatomy patient interaction, team based learning such as case studies and problem solving exercises. Thus the 4th respondent since it has been reported that the certificates produced by the students, certifying that the students have under gone offline classes, are found to be not genuine, came out with a new guidelines specifying that the FMGS should invariably undergo 2 to 3 years compulsory internship.

10. The reliance placed by the petitioners on other states of Medical Council's proceedings is concerned that they are distinguishable on facts. For example the Circular in the case of State of Telangana Medical Council was issued for candidates who have completed their under graduation or internship on or before 30th June 2020 and in respect of those students who are undergoing under graduation or internship training in the academic session from 2020.

11. The Uttar Pradesh Medical Council clause 5 of instructions specifies two year internship in terms of the NMC circular at 09.05.2023.

12. It is pertinent to observe that the Embassy of India at Kyrgyzstan sought information from the Rector of the university, inter alia, whether the course attended was offline or online. The said query was not answered by the said university.

13. Clauses viii, ix, x and xii of Circular dated 09.05.2023 of the National Medical Commission reads as follows:

> viii) In pursuance of order dated 29.04.2022 passed by the Hon'ble Supreme Court of India in SLP No. 2536-37 of 2022, NMC issued public notice dated 28.7.2022 informing that Indian students who were in the last year of their undergraduate medicine course but due to COVID-19, Russia-Ukraine war etc. had to leave their foreign medical institute and return to India and have subsequently completed their studies as also have been granted certificate of completion of course/degree by their respective institute on or before 30th June, 2022 shall be permitted to appear in Foreign Medical Graduate Examination.
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> (ix) The provision of two years internship, referred in Public Notice dated 28.07.2022, is applicable only to those Foreign Medical Graduates who were in their last year of their study of medical qualification and returned to India due to COVID-19 or Russia-Ukraine War etc. After successful completion of the medical qualification, such FMGs are required to qualify FMG Examination and subsequently undergo Compulsory Rotating Medical Internship (CRMI) for a period of two years (schedule of 12 months to be repeated) in hospital attached to medical college only.
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> (x) All FMGs (Except covered in point (viii) and (ix) above) are required to complete their study from respective University/Institutes in offline mode or to supplement their online theory subjects/classes by offline practical and clinical training and thereafter shall acquire a valid medical qualification which is registrable in that country where it is being acquired. After qualifying FMG Examination, FMGs shall undergo Compulsory Rotating Medical Internship (CRMI) for a period of one year in accordance with CRMI Regulations 2021.
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> xii) In case, an FMG has already completed first one year of his/her internship in any medical college in India, he/she shall be free to complete remaining part of his/her internship(2nd year of internship) from another medical college/State/UT, as per the availability of seats for conducting internship for FMGs."

13. In continuation, the said Circular of the Government of India has issued Circular dated 07.06.2024, which provides that:

> "It has been observed that many FMGs are maliciously obtaining compensatory certificates from their parent arent universities for the online classes carried by them. The medical profession deals with precious human life, therefore the life of Indian citizens cannot be put at stake of poorly trained medical professionals. The UGMEB has decided that henceforth, Certificate regarding the compensation/supplementation of online theory subjects/classes with offline practical and clinical training shall not be accepted.
>
> **FMGs who have attended their classes online for any duration during their course completion are required to qualify the FMG Examination and subsequently undergo a Compulsory Rotating Medical Internship (CRMI) for a period of two/three years (a schedule of 12 months to be repeated) as mentioned in the Circular dated 9.5.2023 and as per the public notice uploaded on 7th December 2023."**

14. In view of the above, the contention of the petitioner No.13 that she had completed her course through offline and her stay in India was for short duration, therefore, she need not undergo two years compulsory internship may not merit consideration.

15. As noted from the proceedings of the 1st respondent, the students were instructed to continue their internship at their allotted medical college and Hospital until further orders of A.P.Medical Council.

16. In the light of the circulars of the Government of India on the issue, the stages of medical education designed to impart required practical training cannot be overlooked. Therefore, I do not perceive any circumstances warranting interference in the matter.

17. The writ petition is accordingly dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications, pending if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date:28.04.2025
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THE HON'BLE SMT JUSTICE KIRANMAYEE MANDAVA

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