

No. C.18018/12/2018-MEP
Government of India
Ministry of Health & Family Welfare

Nirman Bhavan, New Delhi
Dated the 30th August, 2018

To,

Sh. Shahul Hamed K.S.
S/o Shaik Uthuman
49, Big Street, Kadayanallur,
Tirunelveli, Tamilnadu - 627751.

Subject: Representation made in compliance with the Order of Hon'ble High Court of Delhi in WP (C) No. 8091/2018 for one time exemption from NEET to pursue MBBS abroad - reg.

Sir,

I am directed to refer to your representation dated 06.08.2018 on the subject mentioned above and to say that in compliance of the directions of the Hon'ble High Court of Delhi in WP (C) No. 8091/2018 in the matter of Shahul Hameed K.S. Vs MCI and Others, the matter for granting one time exemption from NEET - UG to pursue MBBS abroad has been examined in consultation with MCI.

2. It is informed that as per section 13(4B) of the Indian Medical Council Act, 1956, Indian students desirous to get admission in a medical institute abroad have to obtain Eligibility Certificate from the MCI. Further, such persons who have obtained medical degree from an institution abroad and desirous to get permanent or provisional registration with MCI or State Medical Council have to qualify a Screening Test i.e. Foreign Medical Graduate Examination (FMGE).

3. It has come to notice of this Ministry that medical institutions / Universities of foreign countries admit Indian students without proper assessment or screening of the students' academic ability to cope up with medical education with results that many students fail to qualify the FMGE. Accordingly, MCI with the prior approval of the Ministry vide notification dated 01st March, 2018 amended Screening Test Regulations, 2002 and the Eligibility Requirement for Taking Admission in an UG Medical Course in a Foreign Medical Institution Regulations, 2002 for making it mandatory for the Indian students to qualify NEET to pursue foreign medical course. The result of NEET shall be deemed to be treated as the Eligibility Certificate for such persons, provided that such persons fulfill the eligibility criteria for admission to the MBBS course prescribed in the Regulations on Graduate Medical Education, 1997. The provisions of the said regulations have been implemented prospectively i.e. May - 2018.

4. In the said representation, it is mentioned that the petitioners have secured admission in medical colleges at Russia before 31st May, 2018 and the date of joining is 15th September, 2018. In this context, it is informed that the Information Bulletin published by CBSE on 08.02.2018 also contained the information that the students wishing to pursue MBBS abroad shall have to qualify NEET. Thereafter, this was reported by the leading

newspapers of the country. Further, this Ministry hosted a Public Notice dated 22.02.2018 on its website informing the mandatory requirement of qualifying NEET to pursue MBBS abroad. The notification for amendment to the regulation was published in the official Gazette on 01.03.2018 and last date for registration of NEET was 12.03.2018. The notification dated 01.03.2018 prescribes that the Indian citizens / OCI intending to obtain primary medical qualification from any medical institution outside India, on or after May 2018 shall have to qualify NEET. Thus, the petitioners who claim to have already secured admission to these colleges before 31.05.2018 should have applied for NEET.

5. Further, in any such case where the candidates were not aware of the changes made in the regulations, it has been decided in consultation with MCI that one - time exemption from requirement of qualifying NEET for the academic year 2018 - 19 may be granted to only those who have not registered for NEET UG - 2018 subject to the following conditions:

- i) The candidates shall furnish an undertaking that they had not registered for NEET (UG) - 2018.
- ii) The candidates shall obtain Eligibility Certificate from the MCI prior to admission / joining the foreign medical institutes.
- iii) MCI may at its discretion verify from the CBSE whether such undertaking is genuine or not. In case, the undertaking is found to be false, forged appropriate action as permissible in law, including cancellation of Eligibility Certificate would be taken against such candidates.

7. There shall be no exemption from qualifying NEET for the candidates who have appeared in NEET (UG) - 2018 but failed to secure minimum qualifying marks.

Yours faithfully,



(Amit Biswas)

Under Secretary to the Govt. of India

Telefax:011-23061120

Copy for information to:

All the petitioners of WP (C) No. 8091/2018

As per list

Copy to:

The Secretary (I/c), MCI, Pocket-14, Sector-8, Dwarka Phase-I, New Delhi-110077.