



THE JAMMU & KASHMIR MEDICAL COUNCIL

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ORDER

Subject: Writ Petition (C) No 3068/2025 titled “Dr Yawar Hamid Bhat Vs Union Territory of J&K & Ors.”

WHEREAS, Dr. Yawar Hamid Bhat S/o Mr Abdul Hamid Bhat R/o Lilam Cherapawa Handwara (District Kupwara), having been admitted in 2017, underwent MBBS Course, now re-designated as MD Physician from Sumy State University in Ukraine, came to be provisionally registered with J&K Medical Council Vide No J&K/PROV./1558 Dated 20th February, 2025 and successfully completed One Year Compulsory Rotating Medical Internship Programme from 23rd November, 2024 to 23rd November, 2025 in the Departments/Disciplines of Government Medical College, Doda, while being awarded Internship Completion Certificate No GMC/D/Adm./370/6166dated 02nd December, 2025.

WHEREAS, Dr. Yawar Hamid Bhat S/ Mr Abdul Hamid Bhat R/o Lilam Cherapawa Handwara (District Kupwara), took resort to filing of Writ Petition (C) No 3068/2025 titled “Dr Yawar Hamid Bhat Union Territory of J&K & Ors.”, claiming the following reliefs; “IN THE PREMISES, it is, therefore, prayed that this Hon’ble Court may be pleased to pass the writ, order and direction which may be in the nature of;

I. Issue a writ of Certiorari, thereby, quashing the impugned condition in the certificate of provisional registration dated 20.02.2025 whereby the petitioner has been directed to undergo CRMI for a period of 02 years.

II. Issue a writ of Mandamus commanding the respondents to grant final registration to the petitioner on the basis of the internship certificate granted to the petitioner by Government Medical College, Doda, on the basis of Notice dated 19.06.2024 issued by National Medical Commission, New Delhi;

III. Any other writ, order or direction may also be passed in favour of the petitioner and against the respondents which this Hon’ble Court deems fit and proper in the facts and circumstances of the case.”

WHEREAS, the WP (C) No 3068/2025 titled “Dr Yawar Hamid Bhat Union Territory of J&K & Ors.”, came to be listed before the Hon’ble High Court of J&K And Ladakh at Srinagar, on 09th of December, 2025, the operative portion whereof reads as under;

“After brief submissions, Mr. Mudasir Bin Hassan, learned counsel for the petitioner has submitted that petitioner has filed a representation before respondent No. 1 for the reduction of internship period from two years to one

year, after having completed one-year compulsory internship and for grant of final registration certificate, but respondent No.1 has not accorded any consideration to the same till date. He has submitted that it shall be suffice if respondents No.1 and 2 are directed to decide representation of the petitioner, as per law, to which Mr. Waseem Gul, learned counsel for the respondents has no objection. Statements of learned counsels for the parties are taken on record.

In view of statements made by learned counsels for the parties, present petition is disposed of with a direction to the respondents, in particular respondents No. 1 and 2, to accord consideration to the representation preferred by the petitioner for reduction of internship period and grant of final registration certificate strictly as per law and after affording a reasonable opportunity of being heard within a period of three weeks' from the date a copy of this order along with copy of petition and annexures are made available.

Disposed of along with connected CM."

WHEREAS, Medical Education is a specialized and highly regulated domain that directly influences the quality of Health Care Delivery in the country. Unlike many other fields of study, Medical Education is not confined to academic knowledge alone; it involves the cultivation of Clinical Skills, Ethical Responsibility and the Capacity to Take Life-Saving decisions. Further, Doctors and Other Medical Professionals trained through such educational programs are entrusted with the Health and Lives of Patients; any compromise in the Standards of Medical Education can have far-reaching and potentially irreversible consequences for society at large.

WHEREAS, the National Medical Commission (NMC) serves as the Apex Regulatory Body responsible for overseeing Medical Education and practice in India. Hence, full compliance with Medical Education Regulations remains critically essential to uphold the integrity and safety of Health Care Delivery.

WHEREAS, in the past few years, a significant number of medical aspirants choose to pursue Medical Education abroad. To regulate such Foreign Medical Graduates (FMGs), who travel to other countries to pursue Medical Courses equivalent to the MBBS Program in India and later return to India to practice in the Indian Hospitals.

WHEREAS, around the year 2020, owing to the unforeseen circumstances that arose due to the COVID-19 Pandemic, followed by the Russia-Ukraine War, which left a Global Impact, causing many Indian Medical Students from all over the country to return to India. Consequently, many of these Foreign Medical Graduates (Foreign Medical



Graduates) were found to have completed a portion of their Medical Education through OnLine Mode and are now seeking permanent registration in India.

WHEREAS, the National Medical Commission, in exercise of the powers conferred by Section 57 read with sub-section (4) of Section 15 of the Medical Commission Act, 2019 (30 of 2019) made regulations called as The Foreign Medical Graduate Licentiate Regulations, 2021, which were notified in the Gazette of India on 18th November, 2021.

WHEREAS, the primary aim of the Foreign Medical Graduate Licentiate (FMGL) Regulations, 2021 is to standardize the medical education of Indian students studying abroad and ensure their clinical competencies and qualifications are on par with Indian Medical Graduates.

WHEREAS, simultaneously, the the NMC, in exercise of the powers conferred by Section 57 read with sub-section (4) of Section 24 of the Medical Commission Act, 2019 (30 of 2019) made regulations called as National Medical Commission Compulsory Rotating Medical Internship) Regulations, 2021, which were notified in the Gazette of India on 18th November 2021. These Regulations 2021 aim to standardize internship training, bridge the gap between theoretical knowledge and real-world application, and produce highly competent Indian Medical Graduates who are fully prepared to deliver unsupervised, Primary Health Care.

WHEREAS, Schedule II to National Medical Commission Compulsory Rotating Medical Internship) Regulations, 2021 provide that every candidate shall be required to undergo a compulsory rotating medical internship (CRMT) for a minimum period of twelve months, to the satisfaction of the college authorities and the University concerned after passing the final Bachelor of Medicine and Bachelor of Surgery (MBBS) examination/National Exit Exam for MBBS (Next), so as to be eligible for the award of the MBBS degree by the respective Universities.

2. Period for Completion

(a) The Internship shall be completed within two years of passing the final MBBS or Foreign Medical Graduate Examination (FMGE) or NEXT Step-I examination, whenever in force.

WHEREAS, to curb the above-mentioned practices, the UGMEB (NMC), in alignment with the guiding principles enshrined in the FMGL Regulations, 2021, and with the overarching objective of preserving the quality and standards of medical education in the country, issued a Public Notice 07.12.2023. Through this Notice, it was clarified that in cases where the Foreign Medical Graduates had a break and the medical course has been pursued in the Online Mode, the concerned Foreign Medical Graduate will be required to undergo either a Two-Year Clerkship or a One-Year Clerkship, as applicable,



followed by mandatory One-Year Internship prescribed under the Compulsory Rotating Medical Internship Regulations, 2021.

WHEREAS, subsequently, by way of Public Notice dated 19.06.2024, UGMEB (NMC), further clarified that all students who have sufficiently compensated classes in physical Onsite in lieu of the Online Classes and subsequently passed examination equivalent to MBBS in India, shall be eligible for Two-Year Mandatory Internship in India as specified in the (Compulsory Rotating Medical Internship) Regulations, 2021.

WHEREAS the backdrop of issuance of Public Notice dated 07.12.2023 and 19.06.2024 arises from the growing concern with respect to Foreign Medical Graduates completing some part of their medical education through Online Mode. That, to uphold the quality and standards of Medical Education, to discourage the casual pursuit of such practices and to ensure strict adherence to the sanctity of the Regulations prescribed by the National Medical Commission, the UGMEB (NMC), Vide above-mentioned Public Notices, mandated adequate compensation of the classes studied through Online Mode by the Foreign Medical Graduates, which requires adequate compensation (i.e. attending the remaining duration of the curriculum physical mode in the parent Foreign Medical Institute) for the remaining duration of the Medical Education that was studied by the Foreign Medical Graduate through Online Mode or has not studied remaining duration at all. The core intent behind the requirements outlined in the referenced Public Notices is to uphold the quality and integrity of medical education, especially in the context of Foreign Medical Graduates (FMGs). These Notices recognize that certain Foreign Medical Graduates may have completed a portion of their Medical Education through Online Mode, particularly during exceptional circumstances such as the COVID-19 Pandemic. Others may have failed to complete the required duration of study altogether. Given that Online Learning lacks the crucial component of In person Clinical Training, an essential part of medical competency, the National Medical Commission mandated these measures to compensate for the equal duration of the course studied via Online Mode. The goal is not punitive but corrective to ensure that all Foreign Medical Graduates attain a level of Practical and Clinical Knowledge at par with the standards expected in India. This approach ultimately safeguards Public Health while providing Foreign Medical Graduates with a clear, structured path to become eligible as Medical Practitioners in the country.

WHEREAS, Dr. Yawar Hamid Bhat, vide representation submitted to the Commissioner/Secretary, Health & Medical Education Department, Union Territory of J&K, Srinagar, sought reduction of Internship Duration from Two Years to One Year, which was forwarded to the President, Jammu & Kashmir Medical Council, Srinagar, Vide No ARI-Adm./2025-01(CC-7658175) dated 23-06-2025.

WHEREAS, Dr. Yawar Hamid Bhat, was enrolled in MBBS Programme at Sumy State University (Ukraine) on November 18, 2016 and during last year of MBBS



Programme was in India from March 2022 to December 2022 and went back to Ukraine in December 2022.

WHEREAS the last year of MBBS Programme started in February 2022. However, Dr. Yawar Hamid Bhat, during last year of MBBS Programme was in India from March 2022 to December 2022 and went back to Ukraine in December 2022 and returned to India on March 17, 2023, as such, has to undergo Two Years of Compulsory Rotating Medical Internship in light of the above Compulsory Rotating Medical Internship Regulations, 2021 and the Public Notices issued by National Medical Commission, having done his last year/final year of MBBS Course of Study in Online Mode.

WHEREAS, the primary objective of the Public Notices dated 07.12.2023 and 19.06.2024 is to ensure that any portion of the Medical Education undertaken by Foreign Medical Graduates (FMGs) through Online Mode, particular during periods Global disruption like COVID-19, is compensated through in-person and onsite clinical training. This is essential because Medical Education, by its very nature, requires substantial hands-on Learning, Clinical Exposure, and practical experience which cannot be effectively substituted by instructions alone. Therefore, any Foreign Medical Graduate who studied a portion of their Course online is required to undergo equivalent in to make up for that duration. In this context, Foreign Medical Institutions that issue a "compensation certificate" without actually extending the period and without ensuring that the additional training occurred in physical mode are acting in contradiction to the intent and requirements of the Foreign Medical Graduate Licentiate Regulations, 2021. Such certificates, issued without genuine extension of study period, undermine the very spirit and purpose of the Foreign Medical Graduate Licentiate Regulations, 2021, which aim to uphold the integrity and quality of Medical Practitioners intending to practice in India. Under Schedule-I of the Foreign Medical Graduate Licentiate Regulations, 2021, notified on 18.11.2021, it is clearly stated;

"The course and internship or clinical clerkship with the MBBS course of India with the Regulations on Graduate 1997 and subsequent amendments thereto, shall include the subjects mentioned therein as recognized by the Commission under sub of section 61 of the Act."

This clause emphasizes that the Structure, Duration, and Content of Foreign Medical Courses must be equivalent to the Indian MBBS curriculum. The Course must *include sufficient hands-on clinical training. Online education cannot be considered equivalent* unless the missed components are physically compensated for. Institutions must ensure *compliance with both curriculum and practical standards*, failing which FMG qualifications may not be recognized in India.


WHEREAS, in compliance with the Order/Judgment dated 09th December 2025 passed by Hon'ble High Court of J&K And Ladakh at Srinagar in Writ Petition (C) No



3068/2025 titled "Dr Yawar Hamid Bhat Union Territory of J&K & Ors.", the Petitioner/Applicant/Dr Yawar Hamid Bhat was afforded personal hearing to supplement what has been stated in representation seeking reduction of Reduction of Internship Duration from Two Years to One Year.

Now, therefore, in compliance with the Order/Judgment dated 09th. December, 2025 passed by Hon'ble High Court of J&K And Ladakh at Srinagar in Writ Petition (C) No 3068/2025 titled "Dr Yawar Hamid Bhat Union Territory of J&K & Ors.", the Jammu & Kashmir State Medical Council, needs to consider the case of Dr. Yawar Hamid Bhat, in accordance with the provisions of the Foreign Medical Graduate Licentiate Regulations, 2021, and the National Medical Commission (Compulsory Rotating Medical Internship) Regulations, 2021 read with the Public Notices dated 07.12.2023 and 19.06.2024 issued by the Under Graduate Medical Education Board (National Medical Commission), while affording an opportunity of being heard to Dr Yawar Hamid Bhat, on Online Mode, the Jammu and Kashmir State Medical Council is of the considerate view that Dr. Yawar Hamid Bhat, during last year of MBBS Programme was in India from March 2022 to December 2022 and went back to Ukraine in December 2022 and returned to India on March 17, 2023, therefore, is required to undergo Two Years of Compulsory Rotating Medical Internship in light of the above Compulsory Rotating Medical Internship Regulations, 2021 and the Public Notices issued by National Medical Commission, as such, his request for reduction of Reduction of Internship Duration from Two Years to One Year, is hereby rejected.

Issued with the approval of competent authority.


Dr. Sandeep Dogra
Registrar
J&K Medical Council

No: JKMC/J/Order/2026/ 11372-78

Dated: 03/07/26

Copy for info to:

1. Secretary to Govt, Health & Medical Education Department, J&K Government, Civil Secretariat, Jammu.
2. Registrar (Judicial), J&K And Ladakh High Court, Srinagar
3. President, J&K Medical Council
4. Sh. Dinesh Singh Chauhan, Advocate/Standing Council, J&K Medical Council
5. Sh. Mudasir Bin Hassan, Advocates & Solicitors, Hon'ble High Court of Jammu & Kashmir and Ladakh.
6. Dr. Yawar Hamid Bhat S/o Mr Abdul Hamid Bhat R/o Lilam, Cherapawa Handwara (District Kupwara).
7. Office File.