

दूरभाष/Phone : 25367033, 25367035, 25367036

फेक्स/Fax : 0091-11-25367024

ई-मेल/E-mail : ug@nmc.org.in

पॉकेट -14, सेक्टर-8, द्वारका, फेस-1,

नई दिल्ली-77

Pocket- 14, Sector- 8, Dwarka,
Phase - 1, New Delhi-77

राष्ट्रीय आयुर्विज्ञान आयोग
National Medical Commission
(Under Graduate Medical Education Board)

No. U.11022/2/2023-UGMEB


Date the 23rd June, 2023

PUBLIC NOTICE

Subject :- Seeking Comments of the stakeholders on National Medical Commission (Maintenance of Standards of Medical Education) Regulations, 2023 - Reg.

Undergraduate Medical Education Board proposes to make the above mentioned regulations in exercise of powers conferred by the National Medical Commission Act, 2019 and particularly by sections 10, 24, 25 and 57 of the said Act. A draft regulation in this regard is being shared for public comments.

2. It is requested to share comments on the draft regulations at the following email id comments.ugregulations@nmc.org.in in MS Word (.docx) format or machine readable PDF Format within 30 days of publication of this notice with a subject tagline "Comments on draft regulations regarding National Medical Commission (Maintenance of Standards of Medical Education) Regulations, 2023".


23/6/2023

(Shambhu Sharan Kumar)
Director, UGMEB

**NATIONAL MEDICAL COMMISSION [MAINTENANCE OF STANDARDS OF
MEDICAL EDUCATION] REGULATIONS, 2023**

WHEREAS the National Medical Commission shall continuously work to maintain high quality and high standards in medical education and regulate medical institutions and medical professionals as per the mandate of the National Medical Commission Act, 2019.

WHEREAS in the exercise of overall powers conferred by the National Medical Commission Act, 2019 and particularly by sections 10, 24, 25 and 57 of the said Act, National Medical Commission makes the following Regulations to ensure smooth compliance with its functions in general and particularly to maintain a high quality and high standards in medical education.

CHAPTER I – PRELIMINARY

1. Short title—These Regulations may be called the “National Medical Commission [Maintenance of Standards of Medical Education] Regulations, 2023.

2. Commencement – These Regulations shall come into force, at once, on such a designated day by the National Medical Commission through Notification.

3. Definitions – In these Regulations, unless the context otherwise requires the terms defined herein shall bear the meaning assigned to them below and their cognate expressions and variations shall be construed accordingly –

- a. “**Act**” shall mean National Medical Commission Act, 2019 [Act No. 30 of 2019].
- b. “**Commission**” shall mean the National Medical Commission duly established under Section 3 of the National Medical Commission Act, 2019.
- c. “**Evaluation**” shall mean the expression or activity of ‘Evaluation/inspection’ which shall include virtual and/or physical inspection.

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- d. **“MARB”** shall mean the Medical Assessment and Rating Board constituted under Section 16 of the National Medical Commission Act, 2019.
- e. **“Medical college or medical institution”** – unless the context otherwise requires, shall mean any college or by whatever name called, in which a person may undergo a course of study or training which will qualify him for the award of any recognized graduate or post-graduate medical qualification.
- f. **“MSR”** shall mean the Minimum Standards Requirements as notified by the Post Graduate Medical Education Board or Under Graduate Medical Education Board as such or by way of guidelines and which shall also include, explanatory notes, circulars and advisories etc., issued from time to time.
- g. **“PGMEB”** - refers to Post Graduate Medical Education Board constituted under Section 16 of the National Medical Commission Act, 2019.
- h. **“UGMEB”**- refers to Undergraduate Medical Education Board constituted under Section 16 of the National Medical Commission Act, 2019.

CHAPTER –II

4. **The mandate of annual disclosure –**

- 1) After its establishment, the medical college or medical institution is obligated to furnish an annual disclosure report to the corresponding Board, satisfying such conditions provided under the notified MSRs by UGMEB or PGMEB and regulations of NMC as the case may be.
- 2) without prejudice to anything stated above, the concerned Board may seek such additional information with regard to the annual disclosure report, as and when deemed necessary for their assessment and otherwise from the concerned medical institution or concerned agencies having or exercising control over that medical college or medical institution.
- 3) It shall be the duty of the medical college or medical institution or the concerned agency or agencies exercising control over such medical college or medical institution to furnish the information (including additional information) by the concerned Board in the prescribed mode.

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5. Evaluating the report

- 1) Keeping in mind the overall objectives of the Act, the respective Board (PGMEB or UGMEB) may undertake the evaluation of the Annual Disclosure Report for verifying whether the medical college or medical institution fulfils the required conditions prescribed by way of MSRs or NMC Regulations as the case may be, which shall include
 - i. Verification of physical infrastructure,
 - ii. availability of required number of qualified faculty for actual teaching and research and to undertake necessary student learning activities on a regular and continued basis,
 - iii. availability of adequate clinical material in terms of number of patients of different specialties, variety of patients to fulfill all round training of students, number of variety of procedures, surgeries, laboratory investigations, radiological investigations and other relevant investigations,
 - iv. assessment of the teaching methodology adopted,
 - v. the methods and modes of assessment, grading of the students,
 - vi. review of feedback from students,
 - vii. 360-degree evaluation of teaching faculty and
 - viii. other parameters related to standards of medical education that may be added from time to time by the respective boards or NMC.

- 2) Without prejudice to (a) above or elsewhere in these Regulations, at its sole discretion, the respective Board may seek any additional information or clarification or additional documents etc., from the medical college or medical institution while considering the Annual Disclosure Report referred above.

- 3) The Medical College shall furnish such information or clarification or additional documents etc., sought under sub-section (b) at the earliest but not later than 30 days from the date of receipt of communication from the respective Board or such additional time to be provided by the respective Board on specific request from the applicant in that regard.

Provided, the medical college or medical institution shall adhere to the prescribed format or pro-forma, while furnishing of information or clarification or additional documents etc., as required by the concerned Board.

- 4) If the applicant fails to submit such information or clarify or provide additional documents etc., as mandated by the respective Board within such prescribed time including any additional time provided by the respective Board, shall be deemed as non compliance with the Regulations and shall attract penalty.

6. Joint or independent evaluation etc.,

- 1) Notwithstanding anything stated elsewhere in these Regulations, any of the Board (other than corresponding Board) individually or collectively, may cause to evaluate the accuracy and/or truth and/or veracity of the averments made out in the Annual Disclosure Report from the medical college or medical institution.
- 2) When such evaluation as enumerated under sub-section (a) is undertaken, it shall be the duty of the concerned medical college or medical institution to provide all necessary support to the concerned Board or Boards as the case may be, in their course of evaluation, which shall also include disclosure of documents, providing additional evidence as the case may be, providing oral statements etc.
- 3) Without prejudice to anything stated above, the concerned Board or Boards conducting evaluation under this provision, shall mandatorily share such conduct of an evaluation immediately and outcome of such evaluation to other Boards and NMC at the earliest but not exceeding three days.

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- 4) After such inspection under this Regulation, if the concerned Board or Boards contemplate any remedial measure or action etc., such measure or action shall be intimated to the medical college or medical institution, through the concerned Board (UGMEB or PGMEB). Provided it shall be the administrative responsibility of the concerned Board to oversee that such measure or action intimated are duly complied with by the medical college or medical institution.

7. Consequence of compliance

- 1) If the medical college or medical institution is found out to be successfully meeting requirements as prescribed for the UGMEB or PGMEB as the case may be, the concerned Board shall provide a renewal certificate for continuation of the course/s and admission of students thereof for the next/coming Academic Year.
- 2) Any deficiency noted will attract penalties with or without the decision above.

8. Penalties

- 1) Where the respective Board has reason to believe that a medical institution has failed to comply with any statutory provision, regulations framed there under or has not complied with the Minimum Standards of Requirements as prescribed by the respective Boards, or has conducted themselves in any manner which is not in accordance with the goals of medical education and practice, the Board shall either penalize the medical college or medical institution and /or conduct further enquiry into such act and wherever needed provide an opportunity to rectify the same.
- 2) For purposes of penalties, the regulations (Establishment of New Medical Institutions, Starting of New Medical Courses, Increase of Seats for Existing Courses & Assessment and Rating Regulations, 2023) will be followed in addition to withholding processing of application for any new schemes for that academic year or for such number of years.

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Provided that the medical institution, may be granted a reasonable opportunity to rectify the deficiencies and any further action shall be taken if it fails to meet the requisite norms.

Provided further that the NMC may also initiate criminal proceedings for furnishing false information, or fabrication of false documents as per the criminal law in force at that time.

9. Appeal to NMC –

- 1) A medical college or medical institution or any such aggrieved person may file an appeal before the Commission with an appropriate fee as specified against any order which shall comprise the following-
 - i) Disapproval of a scheme for establishment of a medical institution or
 - ii) Where no decision is taken within one month of submitting such scheme or
 - iii) Imposition of penalty

Provided, such an appeal is filed within fifteen days of passing such an order or lapse of time, as the case may be.

10. Appeal to the Central Government

- 1) Where an applicant/ medical college or medical institution is aggrieved by the decision of the Commission or where the Commission fails to give its decision within forty-five days from the date of receipt of such an appeal, a second appeal may be filed before the Central Government within 30 days from the date of such order or lapse of time, as the case may be.
- 2) The decision of the Central Government in this regard shall be final.

-The End-

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