Critical appraisal of the proposed scheme of National Exit Test (NEXT)

The core component which needs to be primarily examined is as to whether the entire proposition of NEXT is in conformity with the operational mandate as is brought out in Section 15(1) of National Medical Commission Act, 2019. The said Section clearly stipulates as under:

> ***"15(1) A common final year undergraduate medical examination, to be known as the National Exit Test shall be held for granting licence to practice medicine as medical practitioners and for enrolment in the State Register or the National Register, as the case may be."***

Further, Section 15(2) stipulates as under:

> ***"15(2) The Commission shall conduct the National Exit Test through such designated authority and in such manner as may be specified by regulations."***

Further, Section 15(5) stipulates as under:

> ***"15(5) The National Exit Test shall be the basis for admission to the postgraduate broad-speciality medical education in medical institutions which are governed under the provisions of this Act or under any other law for the time being in force and shall be done in such manner as may be specified by regulations***"

A plain reading of the aforesaid provisions inevitably makes one conclude that a single final Undergraduate Medical Examination would be serving the purpose of licencing as well as admission to postgraduate courses in broad specializations in various medical colleges that come under the ambit of the provisions of NMC Act, 2019 or any other law in force at the given point of time.

In the context of section 15(1) of the NMC Act a grave error of legal wrong stands committed in as much as the final MBBS examination of the MBBS Programme in case conducted by any authority other than the examining/ affiliating University, cannot be computed by the said examining University for the purposes of conferment of the MBBS Degree, as the same would be in contravention of the binding inclusions in Indian Medical Universities Act, 1960 read with University Grants Commission Act, 1956.

The said anomaly is palpable in as much as that all the First Professional, Second Professional, Part-1 and Part-2 of Third Professional Examination would be conducted by the examining / affiliating University on the strength of which the learner would be entitled for the conferment of MBBS degree. However, the material question is the proposed scheme stipulates two examinations styling it as fourth professional

examinations in two parts designated as 'NEXT-I' and 'NEXT-II' respectively of which NEXT-I would be a common examination on the basis of MCQs to be conducted by the designated authority / the National Medical Commission in accordance with Section 15(2) of the Act and clearance thereof would entitle the examinee to go ahead for his / her one year rotating internship.

Upon the completion of the said internship the said examinee would be required to appear for NEXT-II examination which would be assessment of the psychomotor skill to be conducted by the examining / affiliating University which would be the licentiate examination and the clearance thereof would be the basis for his / her entitlement to be included in the State Medical Register or the Indian Medical Register as the case may be.

It is NEXT-I which would be availed for the purposes of admission to Postgraduate Courses in broad specialities.

Apart from the implications and complications of the system that have been mooted the material question is under what provisions and mandate of the Act, the NEXT examination is split into two parts as NEXT-I and NEXT-II respectively. How is it and under what mandate it has been named as Fourth Professional Examination, which otherwise is also outside the ambit of the conferment of degree from the point of view of its consideration. What is the validity of NEXT-II being conducted by the same examining / affiliating University which has already cleared and certified him on the very count one year ago. Imagine a situation where in the very University the learner passes Third Professional Examination successfully and is entitlement for the conferment of the degree but the very University does not find him to be fit for passing one year later thereto in NEXT-II? All these situations and many more are nothing but a consequential creation of non-application of mind and sole attempt at hiding the wrong that has already crept in framing of Section 15(1) of the NMC Act, 2019.

The present mandate is very clear under section 15(2) of the NMC Act, 2019 NEXT will be conducted by the commission and how is it NEXT-II is required to be conducted by the examining / affiliating University. Where is the mandate for the said dispensation?

Contemplate a situation where the learner clears NEXT-I, completes his internship but fails in NEXT-II and therefore is not eligible to seek the registration with the State Medical Council, then what has he achieved with clearing the NEXT-I. Such a chronology so badly ill conceived without authority and jurisdiction is nothing but playing havoc with the fate, future and the lives of the young learners.

As if, the aforesaid dichotomies are not enough yet another dimension which merit huge consideration is that the scheme of examination in terms of the Notified regulation that has binding effect being mandatory in character mandates that 'Theory and Practical Clinical and Viva Voce' are separate heads of passing. The Third Professional Part-II

examination can be cleared by any examinee exclusively on clearing the examination of theory and practical separately in all the subjects of examination. It is on clearance of the Part-II of Third Professional Examination that is held in the month of January, the concerned examinee would be eligible to take the NEXT one examination conducted by the National Medical Commission, in the month of March. The failures at the Third Professional Examination would be getting an attempt in terms of a supplementary examination to be held in the Month of February.

The material question is that the examinee who has passed Third Professional Examination both in Theory and Practical alone in terms of the prescribed scheme of examination and binding regulation thereto is entitled to commence his / her rotating internship by seeking provisional registration with the concerned State Medical Council. However, in the present instance the learner is made to begin with his internship after NEXT- Part-I without his examination in Practical Clinical and Viva-Voce which would be held after his / her completion of internship in the form of NEXT-II which would be exclusively conducted for skill assessment by the concerned affiliating / examining University. The premise of letting a learner do his internship without certification of his clearance in practical clinical and viva voce is untenable because such a person would not be entitled to procure his / her provisions registration with the State Medical Council and on the very ground would not be entitled to do his internship for the want of provisional registration.

Yet another dichotomy which is inbuilt in the proposed system is that an examinee in terms of the present stipulations in the governing regulations would be declared as clearing the Third Professional Part-II examination by the examining University exclusively on he / she clearing the theory and practical examinations separately of the concerned subjects. It is a binding rule that an examinee who has availed an examination with the University and has been declared as 'Pass' thereto is barred from taking the same examination not only by the concerned examining University but by any other statutory University in the country. The said binding rule disentitles the learner to take NEXT- Part-II examination by the examining University that has declared him already Pass in the very examination of Part-II of Third Professional Examination.

Further, the proposed scheme provides for a supplementary examination to failures of Third professional Part-II Examination. However, the availability of such supplementary examination in respect of NEXT-Part-I and NEXT-Part-II have not been indicated in the scheme in any manner whatsoever.

As such the entire scheme is not only a bundle of contradictions, impossibilities, untenability and inconsistent with the binding provisions of the NMC Act, itself but it also makes the mockery of the entire medical educational system and the binding governing stipulated procedures in the Universities in the country in terms of the stipulations included in University Grants Commission Act, 1956 as well as Indian Medical

Universities Act, 1916. It is difficult to comprehend because the present proposed scheme conveys a picture as if the provisions of the NMC Act 2019 have an overriding effect over the University Grants Commission Act, 1956 and Indian Medical Universities Act, 1916, which is evidently erroneous. As such the very edifice on which the proposed scheme of NEXT is formulated is full of contradictions, fallacies and seems to have been made without any understanding of educational system as in vogue and is more of a imagination in wilderness. In nutshell it is an open invitation unconditionally extended to impending disaster to rule the roost.