

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
STARRED QUESTION NO. 291
TO BE ANSWERED ON THE 13TH MARCH, 2020
NEET FOR ADMISSION TO MEDICAL COLLEGES**

***291. SHRI KAUSHALENDRA KUMAR:**

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government is aware of the observations of Madras High Court with regard to the National Eligibility-cum-Entrance Test (NEET);

(b) if so, the details of the observations of the Hon'ble High Court in the matter; and

(c) the action being taken by the Government in this regard?

**ANSWER
THE MINISTER OF HEALTH AND FAMILY WELFARE
(DR. HARSH VARDHAN)**

(a) to (c): A statement is laid on the Table of the House

**STATEMENT REFERRED TO IN REPLY TO LOK SABHA
STARRED QUESTION NO. 291 FOR 13TH MARCH, 2020**

(a) to (c) Section 10D of the Indian Medical Council Act, 1956 prescribes conducting of a uniform entrance examination namely National Eligibility cum Entrance Test (NEET) to all medical educational institutions at undergraduate and post-graduate level. The provisions of the Indian Medical Council Act, 1956 for conducting NEET shall apply across the country without any exemption.

Madras High Court, in its orders passed in W.A No. 2931 of 2019 on 4.11.2019 made observations with regard to National Eligibility cum Entrance Test (NEET) that number of candidates who appeared multiple times got admission more than who appeared first time and also noted that only negligible candidates have got admission without undergoing coaching.

However, the Hon'ble Supreme Court vide order dated 11.04.2016 in R.P. 2159-2268 of 2013 in T.C. (c) 98 of 2013 had allowed conducting of NEET. Further, the apex court vide order dated 09.05.2016 also ruled that only NEET would enable students to get admission to MBBS or BDS studies. Accordingly, Section 10D was inserted in the IMC Act 1956.

Ministry of Home Affairs forwarded, for comments of this Ministry, the Tamil Nadu Admission to MBBS and BDS Courses Bill, 2017 and the Tamil Nadu Admission to Post Graduate in Medicine and Dentistry Bill, 2017 as passed by the State Assembly and submitted for assent of the President to seek exemption from NEET to the State. Since, the provisions of the proposed Bills are in direct contravention of Section 10D of the Indian Medical Council Act, 1956 and the Dentists Act, 1948, the Ministry has raised objection to it and conveyed the same to MHA.

Further, the MHA forwarded, for comments of the Ministry, the Indian Medical Council (Tamil Nadu Amendment) Ordinance, 2017 and the Dentist (Tamil Nadu Amendment) Ordinance, 2017 submitted by the State for obtaining previous instructions of the President for its promulgation. The proposed Ordinances were also not supported by the Ministry.

In the draft National Medical Commission Bill, there was a provision for National Eligibility cum Entrance Test (NEET). The State Government of Tamil Nadu had raised some objections to the NEET during their presentation to the Departmental related Parliamentary Standing Committee on Health and Family Welfare. The Standing Committee took cognizance of these observations and after due consideration recommended in its 109th Report on NMC Bill 2017 to conduct a uniform National Eligibility cum Entrance Test for admission to the undergraduate medical education in all medical institutions. Subsequently, the Parliament has deliberated upon the Bill and passed the NMC Act along with the provision of NEET and the Act has been enacted on 8th August 2019 .

In view of the above, the matter has already been settled by the Hon'ble Supreme Court and the Parliament of India.
