

*Draft
minutes for
approval please*
*22/11/13
Pradeep Med. Edu.*
*Hon'ble Justice (Retd.)
I.S. Israni*
23
28

Minutes of the Admission Regulatory Committee held on 21 November 2013 under the chairmanship of Justice (Retd.) I.S. Israni on the subject of mode of counseling of students for admission to MBBS / BDS UG courses for the academic session 2014-2015

A meeting of the Admission Regulatory Committee was held on 21 November 2013 at 3.30 p.m. under the chairmanship of Justice (Retd.) I.S. Israni on the subject of counseling of students for admission to MBBS / BDS UG courses for the academic session 2014-2015.

The following members of the Committee were present:

1. Sh. Pradeep Sen, Principal Secretary,
Medical Education Member Secretary
2. Dr. Subhash Nepalia - Principal
Medical College, Jaipur Member

Dr. R. B. Panwar – VC-RUHS, and Dr. P. K. Gupta- Dean Medical College, Jhalawar - both members, could not attend.

[A] By way of background of the issue placed discussion, the Committee was informed that:

- In writ petition no. 15287/2013 - Wasim Akram v/s Asstt. Director (General) (ME) Directorate General of Health Services and Others (State Government, MCI, DCI, RUHS and the three private universities of Rajasthan) - the directions sought from the Hon'ble Court are that, for UG admissions, counseling (after common examination – NEET) of students seeking admission to private medical colleges should not be left to individual private medical colleges, as was done for admissions for academic year 2013-14, but should be conducted in common with that for government colleges.
- The Hon'ble Court had initially sought clarifications on:
 - What is the meaning of State Quota' in NEET-2013;
 - Who is responsible for filling the State Quota
 - Under which provision have observers been appointed in respect of private medical colleges
 - What action, if any, by the State Government on the report of the observers was taken

*Approved
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- The position was clarified in the short reply filed on behalf of the State Government. Subsequently, a reply to the writ petition was prepared and submitted to the Hon'ble Court.
- On the next hearing, the Hon'ble Court again asked the State Government to clarify the position with regard to:
 - [a] What was the procedure adopted for counseling in earlier years; whether it was joint counseling or separate counseling?
 - [b] Whether information for counseling, and its mode, was provided by the State Government under instructions in para 19.2
 - [c] What action was taken in respect of the Medical College which did not permit observers during counseling?
- The case had come up for hearing on 08.11.2013. While the Advocate General, appearing on behalf of the State Government, made his submissions, the Hon'ble Court, however, wanted the State Government to file an affidavit clarifying the position of the State Government on the above issues; the Hon'ble Court also directed that the State Government should come prepared to make specific submissions regarding the stand of the State Government on who would conduct the counseling for UG admissions (MBBS / BDS) both in case NEET is held for academic year 2014-15, as also if NEET is not held.

[B] With regard to the procedure adopted for counseling in earlier years, the Committee was informed that:

- In previous years, for admission for academic year 2009-10 till the NEET-2013 (for academic year 2013-14), two types of entrance tests were held – one, RPMT held by the State Government was for admission to all government medical / dental colleges; and the other, PC-PMT held by the Federation of Private Medical / Dental Colleges of Rajasthan. Private medical / dental colleges were free to opt for either of the two entrance tests.
- For academic year 2012-13, besides the RPMT and PC-PMT (in which private dental colleges had participated), the AIPMEE was also held by the Society of Private Universities; Geetanjali and NIMS Medical Colleges and NIMS Dental College had participated in this entrance examination.
- Counseling in these years (academic year 2009-10 to 2012-13), was conducted by the respective bodies, that held the entrance examination, for the respective participating institutions.

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- For academic session 2013-2014,
 - while the State government went for NEET; for medical colleges under private universities which had failed to convey their option, it was presumed that private colleges / University would go by NEET-UG.
 - The proposal of the Society of Private Universities & Colleges, submitted in June 2013, to hold their own examination was rejected by the State Government as the dates suggested were beyond the dates prescribed by the MCI.
 - Mahatma Gandhi and Geetanjali Universities then conveyed they would go by NEET but hold their own counseling.

The matter was examined and it was suggested / decided on file that there was no provision prohibiting such separate counseling by universities. However, they were asked to conduct counseling after the counseling by the Government colleges.

Thus, while medical /dental colleges under private universities considered only those candidates who had cleared the NEET, they conducted the counseling independently.

[C] With regard to the proposed stand of the Government on who would conduct the counseling for UG admission (MBBS / BDS) both in case NEET is repeated for admissions for academic year 2014-15, as also if NEET is not held, the Committee was given the reasons, available on record, for the Government to allow the private Universities to hold counseling at their level.

- It was explained that the relevant clause of the Instruction Booklet issued by the CBSE (which conducted NEET-UG-2013) is Clause 19.2 of the Instruction Booklet issued by CBSE read as under:

"Candidates seeking admission to MBBS/BDS courses under **State Quota Seats or Central Institutions or AFMC** are advised to be in touch with Medical Education Directorate of the STATE / UT / INSTITUTION / **UNIVERSITY** / AFMC CONCERNED. Postal Address and websites of respective Authorities of State / UT / Institution / **University** / AFMC are given at Appendix VIII. Information for counseling, schedule of counseling and mode of counseling etc. for Seats under their control and disposal or second stage screening by the AFMC will be notified separately by the Directorate of Medical Education

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26

of the State / UT / Institution / University / AFMC concerned."

- For NEET-2013, the Government allowed the private universities to conduct counseling independently as the view taken then was that the above provision [clause 19(2)]
 - speaks of the "State Quota" or "Central Institutions" and "AFMC"; there is no separate mention of seats under the control of private colleges / institutions that do not have any "State quota".
 - also mentions that Appendix VIII provides the address of the State Medical Education Directorates and Offices where counseling related information **may** be available.

Besides, the Department had held that:

- Clause 19.2 requires students to get in touch with not just the Medical Education Directorate but also the concerned Institution / **University** also.
- Clause 19.2 also states that counseling schedule etc. will be notified not only by the Medical Education Directorate but also by the concerned Institution / **University**, too.

After discussion, the Committee decided as under:

[a] If NEET-UG-2014 is held in the same manner as was done in 2013:

If NEET-UG-2014 is held, it is possible that clause 19(2) quoted above might become part of the instruction booklet in the form as it existed in the instruction booklet for 2013.

Given the divergent views expressed with regard to the interpretation of Clause 19(2) quoted above, for NEET-UG-2014, it is proposed to ask the entrance test holding body, at the initial stage itself, to [a] take into consideration the directions passed by the Hon'ble Supreme Court from time to time on the matter, [b] consult the MCI, and [c] clearly specify, in a manner that does not leave the provision open to divergent interpretation, the mode of counseling that the State Government, private medical / dental colleges and medical / dental colleges under private universities each, as separate categories, has to go by.

If a clear-cut provision is made in the instruction booklet for NEET-UG-2014, as should be case, the State Government would go strictly

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27

by such provision. Clarity in the instruction booklet on the issue of counseling would enable uniformity in the counseling process across states.

[b] If NEET-UG-2014 is not held, as was held in 2013:

If NEET-UG-2014 is not held, it would mean reverting to the same position as in 2012. In other words, for academic year 2014-15, private universities having medical / dental colleges would be free to opt for either the RPMT (which would be held by the Government / RUHS or a separate entrance test to be organized by the Society of Private Universities or the Association of Private Medical / Dental Colleges.

With regard to counseling, the body that would conduct the entrance test would also conduct the counseling for all participating institutions. Private medical/dental colleges, and medical/dental colleges under private universities, would not be allowed to conduct counseling independently.

The meeting ended with a vote of thanks to the Chair.

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**Government of Rajasthan
Department of Medical Education (Gr-1)**

F.6 (9) ME/Gr-1/2013

Date:

Copy to:

1. PS to the Principal Secretary Medical Education/Medical & Health.
2. Hon'ble Justice I.S.Isarani
3. PS to VC RUHS
4. Principal and Controller Medical college Jaipur
5. Dean. Medical College Jhalawar
6. Registrar, RUHS
7. Guard-File

Shay
25/11/13

(Kailash Chadra Rao)
Dy. Secretary to the Government