

Office of ADG (ME)
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GOVERNMENT ODF INDIA
DIRECTORATE GENERAL OF HEALTH SERVICES
NIRMAN BHAWAN, NEW DELHI-110108

Ref. U-11011/08/2021-MEC

Dated: 10-12-2021

NOTICE

Attention UG Candidates:

All candidates desiring to participate in NEET-UG, 2021 Counselling are hereby informed that the Office Memorandum No. C.18018/18/2015- ME-II dated 30.07.2021 (Copy enclosed) is under challenge in W.P(C) No. 961 of 2021 before the Hon'ble Supreme Court of India.

Vide order dated 25.11.2021 in this matter, "the hearing of the proceedings shall be listed on 6 January 2022"

This is for information to candidates. Issued with approval of competent authority.

Notice posted on: 10-12-2021

FILE NO. C.18018/18/2015-ME-II

No. C.18018/18/2015-ME-II
Government of India
Ministry of Health & Family Welfare
Department of Health & Family Welfare

Nirman Bhavan, New Delhi

Dated the 30th July, 2021

To,

The Addl. Chief Secretary / Principal Secretary
(Health/Medical Education)
All States / UTs as per list.

Subject: Implementation of OBC and EWS reservation in All India Quota Scheme - reg.

Madam/Sir,

I am directed to refer to the subject mentioned above and to say that the All India Quota (AIQ) Scheme was formulated under the directions of the Hon'ble Supreme Court in the matter of Dr. Pradeep Jain Vs. Union of India in 1984 and was subsequently revised in the year 1986 in the Judgment delivered in the matter of Dinesh Kumar and Others Vs. Motilal Nehru Medical College, Allahabad.

2. As per the AIQ Scheme, the AIQ consists of 15% of total available UG seats and 50% of total available PG seats in Government medical colleges. Such seats are filled on All India basis from the merit list of National Eligibility cum Entrance Test (NEET). The remaining seats (85% UG seats and 50% PG seats) are filled by the respective States. For these remaining seats, the States apply the reservation as applicable in their respective States.

3. Initially there was no reservation in AIQ Scheme. For the first time, the reservation for SC and ST in All India Quota (AIQ) Scheme was provided in compliance to order dated 31.01.2007 by the Hon'ble Supreme Court in the matter of Abhay Nath & Ors. vs. University of Delhi & Ors. As regards the reservation for OBCs, the same was limited to Central Institutes as provided under the Central Educational Institutions (Reservation in Admission) Act, 2006 from the academic year 2008-09 onwards.

4. In compliance of the directions of the Hon'ble High Court of Madras issued vide Judgment dated 27.07.2020 in W.P. (C) No. 8324 of 2020 batches Madras, a Committee was constituted by the Ministry vide Order dated 07.09.2020 to examine the issue of OBC reservation in AIQ Scheme. The Committee submitted its Report on 21st October, 2020 to the Ministry.

5. The Report of the Committee alongwith all other issues of OBC reservation in AIQ Scheme have been comprehensively examined by the Ministry.

6. It has been decided that in the AIQ Scheme, 27% reservation in respect of OBCs as per the Central Educational Institutions (Reservation in Admission) Act, 2006 shall be provided from the academic session 2021-22 for undergraduate and postgraduate medical/dental courses (MBBS/MD/MS/Diploma/BDS/MDS). For OBC reservation in AIQ, the Central OBC List (non creamy layer) shall be considered.

7. Further, the Constitution (One Hundred And Third Amendment) Act, 2019 *inter-alia* provides for reservation for Economically Weaker Sections (EWS) of citizens for their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions. The said Act provides that such reservation would be in addition to the existing reservations and subject to a maximum of 10% of the total seats in each category.

8. Keeping in view the said Constitutional Amendment and the guidelines for implementation of EWS reservation in higher educational Institutions, it has also been decided that 10% reservation in respect of EWS category shall be implemented in AIQ Scheme for admission to undergraduate and postgraduate medical/dental courses (MBBS/MD/MS/Diploma/BDS/MDS) from the academic session 2021-22. Norms of Central Government with regard to family income and other indicators of economic disadvantage will apply for this reservation.

9. It is therefore, requested to take note of the above for necessary action.

Yours faithfully,

Signed by Amit Biswas

Date: 30-07-2021 13:48:17

Reason: Approved

(Amit Biswas)

Under Secretary to the Govt. of India

Telefax:011-23061120

Copy to:

1. The Secretary, Department of Higher Education, Ministry of Education.
2. DGHS, Directorate General of Health Services, MoHFW.
3. Chairman, Medical Counselling Committee, Dte.GHS, MoHFW.
4. The Director General, National Testing Agency.
5. The Secretary, National Medical Commission.
6. The Executive Director, National Board of Examinations.
7. The Secretary, Dental Council of India.
8. Director (Medical Education), all States / UTs.