

TN Government Passes Bill Against NEET

September 14, 2021

Tamil Nadu Legislative Assembly on Monday passed a Bill to enact a law for scrapping the National Eligibility cum Entrance Test (NEET) exams. Seeking to dispense with the requirement of the qualifying exam for admission into undergraduate medical degree courses in Tamil Nadu, the bill asked to provide for admission to medical courses based on Class 12 marks to ensure social justice.

In news: T.N. Assembly passes Bill against NEET

Placing it in syllabus: Governance

Dimensions:

- Provisions of the bill
- Arguments against NEET
- Arguments for NEET
- Suggestions

Content:

Provisions of the bill:

The **Tamil Nadu Admission to Undergraduate Medical Degree Courses Bill, 2021** seeks to:

- To **ensure social justice**, uphold equality and equal opportunity,
- To **protect all vulnerable student communities** from being discriminated
- To **bring them to the mainstream of medical and dental education**, and in turn,
- To **ensure robust public healthcare** across Tamil Nadu, particularly the rural areas.

The bill contended that admissions to medical education courses “are **traceable to entry 25 of List III, Schedule VII of the Constitution of India**”. It said that the state “is competent to regulate the same for underprivileged social groups”.

The key provisions of the bill include:

- Admissions to UG courses in medicine, dentistry, Indian medicine and homeopathy would be made on the **basis of marks obtained by a student in Class XII through the “normalization methods”**.
- **Section 3 says** – notwithstanding anything contained in any other law or any rules, regulations, notifications or by-laws, admission in every Government Seat shall be made by the appropriate authority on the basis of marks obtained by the student in the relevant subjects in the qualifying examination.
- **Section 6 says** – **7.5% Government Seats will be reserved for students from Government schools**. This will be subject to the other rules of reservation.
- Government Seats mean all seats in MBBS, BDS, BSMS, BAMS, BUMS and BHMS Courses in Government Colleges, excluding seats reserved under “All India Quota” and **65% of such seats in non-minority educational institutions and 50% of such seats in minority educational institutions** and the seats arrived at in accordance with the consensus between such institutions and the government.

Earlier, the admissions in Tamil Nadu for medical and other related courses were based on class XII marks only. However, **in the year 2017, NEET was made compulsory** for the students across all states and education boards.

Arguments against NEET:

Discriminatory against Rural and Economically Weaker Sections:

- The report of a special committee, led by **Justice AK Rajan**, that studied NEET’s impact on students .

- It said that **NEET festers inequality, as it favours the rich and more privileged class of society who can afford special coaching**, apart from pursuing Class XII. It virtually barricades the underprivileged social groups from medical and dental education.
- The Justice Rajan committee concluded that NEET places students from economically weaker sections at a disadvantageous position.
- About 14% reduction was noticed in the number of Tamil medium students clearing NEET exam. Moreover, this phenomenon further extended to the rural areas as well.
- On analysing that, it was observed that about 12% seats of NEET were lost by students of rural backgrounds.
- Even the First generation graduates /students lost about 10% seats due to the imposition of NEET, the report claimed.
- This is **against the very object of the equality clause enshrined in the Constitution**, and **infringes the right to education of children from underprivileged** classes of society

Expensive Private Coaching:

- The Madras High Court has observed that the test disadvantages poor students.
- In 2019 a Bench of justices N Kirubakaran and P Velmurugan was informed by the Tamil Nadu government that only 48 of the 3081 students who passed the exam had not undergone private coaching for the exam.
- Private coaching institutes charged anywhere between Rs 2.5 lakh and Rs 5 lakh for coaching, and this was not affordable for many rural and underprivileged students.

No effect on Capitation fee:

- The main object of introducing NEET was to eliminate capitation fees, but this had not been achieved.

Whatever fee institutions want, they are now collecting.

NEET does not seem to ensure Merit / Quality:

- The Rajan Committee observed that the NEET does not seem to ensure merit or standard of the students being offered MBBS under its purview.
- Originally, students had to get 50 per cent marks in each subject. But under the new system, after 2018, it is not the percentage that is calculated, it is the percentiles.
- As a result, even those who got 18 per cent or 22 per cent in NEET have been admitted to medical colleges

Affects Public Healthcare:

- The Committee had also concluded that if NEET is allowed to continue for a few more years, the **healthcare system of Tamil Nadu will be badly affected** and that there may **not be enough doctors for being posted at PHCs or Government Hospitals**
- NEET drives away the poor, only the rich and the affluent garner most seats.
- Justice Rajan said **affluent students who became doctors were not going to serve in public health centres in remote areas**. "They will go abroad to continue studies and look after their life"

Undermines Federal Structure of Constitution:

- Justice Rajan also said that the nationwide imposition of an examination such as NEET **affected the federal structure as envisaged in the Constitution**.
- The Centre has no power to regulate admission to medical colleges in the State, it can only determine standards

Issues of Language Barriers / Translations:

- In the 2018 NEET, as many as 49 questions had errors in

Tamil translation leading to a Madras High Court order to award four marks for each of the 49 wrongly translated questions, or 196 marks to all 1.07 lakh candidates of Tamil Nadu.

Arguments for NEET:

Reduces Burden and Stress on Students:

- Before NEET, students had to take a separate examination for each institution.
- The purpose of starting this NEET exam was to reduce the stress of appearing for 7-8 exams from within the students.
- It saves both time and money. Earlier, students used to fill numerous applications.
- They used to travel multiple times for various medical entrance exams. Even after draining themselves out physically, mentally and financially

Pan-India Choice for Students:

- It gives a student a right to select an institution of his / her choice anywhere in the country through a single examination.
- Aspirants will have a reasonable opportunity to secure a seat in any medical college in any state. They could get a seat into the most prestigious college in the nation by appearing in the NEET exam.

Curbing Corruption in Medical Education:

- The argument extended in favour of NEET says that the test will help promote merit and curb corruption in medical education.
- NEET is expected to bring transparency in the admission process of private medical colleges.
- It will also stop illegal sale of seats in private medical colleges.

- It also prevents rigging the rankings to get people who don't deserve to become Doctor's into the system.

Ensures Common Standards at the admission stage itself:

- It's argued that the standard of medical services will be raised in India as everybody will have to clear the minimum NEET cut off in order to get a seat.
- This would be applicable to even those applying for management or NRI quota as they too have to clear the cut off marks.

Fair and transparent method:

- The state and independent entrance exams have hardly been fair or transparent.
- There were multiple episodes of paper leaks and scams from various state entrances and private medical colleges. NEET prevents repetition of such incidents

The Supreme Court has already upheld the validity of NEET against the anvil of the Equality Code contained in the Constitution. It was held without a pale of doubt that the conduct of NEET examinations is not in contravention to Article 14 nor is it against the socio-economic polity of the country.

Suggestions:

- Just getting exemption from NEET exams may not be the solution for keeping up the doctor dreams of the students from rural Tamil Nadu.
- Even if the state gets exemption from NEET, the issue of getting medical admission for students from rural areas and Tamil medium government aided schools, remote and hill areas and the first generation students needs to be addressed. The **constraints faced by these students cannot be addressed without reservation.**
- For admitting students under the all India quota seats by the central government like JIPMER, deemed

university, NEET exams can't be exempted.

- There are over 50,000 medical seats in the central government quota across the country. So, competitive exams are inevitable, in the present socio-economic conditions.
- The government has to help the students, by setting up training centres for these competitive exams, which will be helpful not just for education but also for getting employment
- The government and like-minded people will have to look into options to resolve the problems faced by the students in terms of capitation fees, which is running into several lakhs in several medical colleges and deemed universities.

Incidentally, education is in the concurrent list and as far as matters relating to determination of standards for higher education is concerned, the central government has the powers to amend a clause or repeal an Act.

As per entry 25 of List III, the state governments cannot pass a law, as it is the exclusive domain of the Parliament. Entry 25 of list III says that "education, including technical education, medical education and universities, subject to the provisions of entries 63, 64, 65 and 66 of List I; vocational and technical training of labour" are under concurrent list.

Mould your thought: In light of the pros and cons of NEET examination, discuss the provisions of The Tamil Nadu Admission to Undergraduate Medical Degree Courses Bill, 2021. Is NEET exemption the only solution for medical aspirants in medical education?

Approach to the answer:

- Introduction
- Discuss the pros and cons of the NEET Exam
- Mention the key provisions of the TN Bill

- Discuss the options available to the students
- Suggest measures that are needed to make NEET more inclusive
- Conclusion