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Medical council can't interfere in NRI admission quota, rules SC

NEW DELHI, DHNS: The Supreme Court has held that the Medical Council of India does not have the power to interfere in the determination of quota for NRI seats in medical colleges, run by deemed universities.

"Exercise of power by an authority has to be within the contours conferred by the statute and for the purpose of promoting the objectives of the statute. There is no express power conferred on the second respondent (MCI) in the Medical Council of India Act to interfere in the allocation of quotas for sub-categories," a bench of Justices S A Bobde and L Nageswara Rao said.

The court further ruled that determination of quota for NRI seats is beyond the domain of

The bench also noted that there is no dispute that this court permitted the medical colleges to admit NRI students to the extent of 15% of their quota.

the MCI, though the regulatory body for the medical education and profession has a duty to ensure merit-based selection in medical colleges.

The apex court declared as "ultra vires and without jurisdiction" a direction issued by the MCI to Manipal University, a deemed varsity, in 2005 not to make admissions in the NRI quota for 37 MBBS seats in the

year 2005-2006, 37 seats for 2006-2007 and 29 seats in 2007-2008 in Kasturba Medical College, Manipal.

The bench also noted that there is no dispute that this court permitted the medical colleges to admit NRI students to the extent of 15% of their quota.

There is also no dispute that the appellant, Manipal University, made admissions beyond 15% to the NRI quota of the total intake, the court said.

However, the bench said, "The appellant being a deemed university is governed by the provisions of the UGC Act, and the competent authority to take any action for violation of the provisions of the act regarding maintenance of standards is the commission (UGC)."

ಕಸ್ತೂರಬಾ ವೈದ್ಯಕೀಯ ಕಾಲೇಜಿನ ಪ್ರಕರಣ 'ಎನ್‌ಆರ್‌ಐ ಕೋಟಾ ನಿಗದಿ: ಎಂಸಿಐಗೆ ಅಧಿಕಾರವಿಲ್ಲ'

ಪ್ರಜಾವಾಣಿ ವಾರ್ತೆ

ನವದೆಹಲಿ: ಡೀಮ್ಸ್ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳ ವೈದ್ಯಕೀಯ ಕಾಲೇಜುಗಳಲ್ಲಿನ ಅನಿವಾಸಿ ಭಾರತೀಯ (ಎನ್‌ಆರ್‌ಐ) ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಕೋಟಾ ನಿಗದಿಪಡಿಸುವಲ್ಲಿ ಮಧ್ಯ ಪ್ರವೇಶಿಸುವ ಅಧಿಕಾರ ಭಾರತೀಯ ವೈದ್ಯಕೀಯ ಮಂಡಳಿಗೆ (ಎಂಸಿಐ) ಇಲ್ಲ ಎಂದು ಸುಪ್ರೀಂ ಕೋರ್ಟ್ ಅಭಿಪ್ರಾಯಪಟ್ಟಿದೆ.

ಕರ್ನಾಟಕದ ಮಣಿಪಾಲ ವಿಶ್ವವಿದ್ಯಾಲಯದ ಕಸ್ತೂರಬಾ ವೈದ್ಯಕೀಯ ಕಾಲೇಜಿನಲ್ಲಿ 2005ರಿಂದ 2008ರ

ಅವಧಿಯಲ್ಲಿ ಎನ್‌ಆರ್‌ಐ ಕೋಟಾ ಅಡಿ ಪ್ರವೇಶ ಕಲ್ಪಿಸದಂತೆ ಎಂಸಿಐ ನಿರ್ದೇಶನ ನೀಡಿದ ಕ್ರಮವನ್ನು 'ವ್ಯಾಪ್ತಿರಹಿತ ನಡೆ' ಎಂದು ನ್ಯಾಯಮೂರ್ತಿಗಳಾದ ಎಸ್.ಎ. ಬೋಬಡೆ ಮತ್ತು ಎಲ್. ನಾಗೇಶ್ವರ ರಾವ್ ಅವರಿದ್ದ ಪೀಠ ಹೇಳಿದೆ.

ಯಾವುದೇ ಪ್ರಾಧಿಕಾರವು ತನ್ನ ಅಧಿಕಾರದ ವ್ಯಾಪ್ತಿಯನ್ನು ಸಂಬಂಧಿತ ಕಾನೂನನ್ನು ಉತ್ತೇಜಿಸುವ ಸಲುವಾಗಿ ಬಳಸಿಕೊಳ್ಳಬೇಕು. ಆದರೆ, ಎಂಸಿಐ ಕಾಯ್ದೆಯ ಪ್ರಕಾರ ಮಂಡಳಿಗೆ ಇತರೆ ಕೆಟಗೊರಿಗಳ ಕೋಟಾ ನಿಗದಿಪಡಿಸುವ ಅಧಿಕಾರ ಇಲ್ಲ ಎಂದು ತಿಳಿಸಲಾಗಿದೆ.