

NEET AND STATES: THE HINDU EDITORIAL ON TAMIL NADU ASSEMBLY RE-ADOPTING THE ANTI-NEET BILL

Relevant for: Developmental Issues | Topic: Education and related issues

With the [Tamil Nadu Assembly passing once again its earlier Bill](#) seeking to exempt government seats in undergraduate medical and dental courses from the National Eligibility-cum-Entrance Test (NEET), the ball is once again in the court of Governor R.N. Ravi. The Governor had chosen to return to the House for reconsideration the Bill that was passed in September 2021, questioning the tenability of the Justice A.K. Rajan Committee Report that had given its findings in favour of the the passage of such a law. The DMK regime has thrown down the gauntlet as the Constitution is clear as far as the Governor's course of action is concerned. If the Bill is presented to him again, Mr. Ravi is constitutionally bound to grant assent. It is a matter of speculation whether the Bill will obtain presidential nod, but the episode raises a question whether the Governor could not have avoided the current situation by reserving the Bill for the President instead of returning it. After all, this is clearly a Bill that requires the President's acceptance — the exemption from NEET is in conflict with the central law that makes it mandatory and, therefore, can only be saved by the President's assent. Regardless of the Bill's merits, the Governor should delay the matter no further. The original intent of the Constitution makers was that the Governor, under Article 200, ought to have no discretion, save in the case of a law that undermines the position of the High Court, which he is bound to reserve for the President's consideration. However, the Governor's rare use of discretion to question the desirability or validity of a Bill, and ask for reconsideration is now a matter of constitutional practice.

Some parts of the Governor's communication to the Legislative Assembly Speaker seem to suggest that Mr. Ravi disagrees with the basis for the Bill, even though he is not wrong in highlighting a Supreme Court decision in favour of NEET. It is not generally desirable for the Governor to seek to match wits with the legislature's wisdom on social inputs that inform policy. It will be useful to recall that the Sarkaria Commission on Centre-State relations observed that the Governor should not act contrary to the advice of the Council of Ministers merely because he did not like the policy embodied in the Bill. The attention will now be on whether the NEET Exemption Bill will pass muster. For one thing, the exemption may not be a solution to the problem of government school students not making it to MBBS courses in sufficient numbers. The situation prior to the introduction of NEET was no better. However, the issue of NEET being a barrier to access is genuine. There is no doubt that the mandatory nature of NEET on a pan-India basis undermines the role of State governments in medical education. As the main deliverers of public health, the States cannot be denied a say in who joins medical courses in government colleges.

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