

Testing Times: The Controversy over NEET



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Testing Times: The Controversy over NEET

Introduction:

The Supreme Court's refusal to entertain a plea to stay a government Ordinance which deferred the National Eligibility-cum-Entrance Test (NEET) by a year and gave states the option to conduct their own entrance exams, came as a blow to those in favour of the immediate imposition of NEET. The Ordinance partially overturned a previous Supreme Court ruling that called for states to conduct NEET instead of their own regional entrance exams with immediate effect (i.e. a weekend's notice – the Order was passed on April 28, the exam was slated to be held on May 1); a controversial ruling that threw students around the country into confusion over the fate of the state entrance examinations that they had prepared for (and in some cases, already appeared for).

What is NEET?

The National Eligibility-cum-Entrance Test is an entrance examination which is slated to be held instead of individual entrance exams for admission to MBBS (Bachelor of Medicine, Bachelor of Surgery) and BDS (Bachelor of Dental Surgery) courses across the country, according to a recent ruling by a Constitution Bench of the Supreme Court of India, which recalled its 2013 ruling that controversially struck down a common entrance examination for medical institutes across India.¹

Rejecting a request to allow state entrance exams alongside NEET for this year, the Supreme Court stated, "Prima facie, we do not find any infirmity in the NEET regulation on the ground that it affects the rights of the States and the private institutions." While some states have already held their entrance exams, some are yet to be held.²

The reasoning behind NEET is to make the often exhausting and confusing medical exam process more student-friendly, while also arresting the rampant corruption often seen in lower-level examinations. At present, there are around 50 entrance exams for admission to medical and dental college across the country, and serious aspirants usually appear for an average of 10 tests. Moreover, cut-throat competition for limited seats has led to widespread corruption in medical examinations, in the form of donations to private colleges, or out-and-out corruption even by government bodies, such as the now infamous Vyapam scam in Madhya Pradesh.

The proposed solution is to have a single entrance test in order to prepare an all India merit list. Medical aspirants can thus apply to private medical colleges, as well as compete for their own state quotas, while simultaneously avoiding a multiplicity of examinations.

Why is the Imposition of NEET Being Protested?

The decision to make NEET compulsory has been seen by some to be an arbitrary one, since a previous verdict that struck down NEET has been alleged to have not been overruled according to due procedure.³ The month-long flip-flop over whether NEET would be implemented with immediate effect in place of state and private exams left many students in the lurch.⁴ More importantly, however, it is the potential widespread impact of such a nationwide exam that needs to be further explored:

¹ Karan Seth (2016), 'Everything you need to know about SC recalling NEET order', Daily O, April 12, 2016. Available at <http://www.dailyo.in/politics/neet-medical-colleges-supreme-court-medical-council-of-india-mbbs-educational-institutions/story/1/10049.html>

² Maheshwer Peri (2016), 'NEET FAQ: What the apex court order means for admission to medical and dental undergraduate courses', Scroll.in, May 12, 2016. Available at <http://scroll.in/article/807954/neet-faq-what-the-apex-court-order-means-for-admission-to-medical-and-dental-undergraduate-courses>

³ Rajeev Dhavan (2016), 'Medical Council's NEET: Unfair, Unjust, Arbitrary', The Wire, May 16, 2016. Available at <http://thewire.in/2016/05/16/mcis-neet-unfair-unjust-arbitrary-36274/>

⁴ Jyotsna Singh (2016), 'NEET flip-flops leave aspiring medical students in the lurch', Live Mint, May 30, 2016. Available at <http://www.livemint.com/Politics/qhaXKstv5SjbdZg9yvwrdI/Students-suffer-on-NEET-flipflops.html>

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- 1. Existing Inequalities:** The demographic of students of the Central Board of Secondary Education tends to skew towards urban, upper-caste, rich and less likely to be from a non-Hindi state, with the principal language of non-Hindi states not being their first language. It is this unrepresentative demographic that will most benefit from NEET, due to the fact that it will be based on the CBSE syllabus and will be conducted in limited vernacular languages. This in turn will further perpetuate existing inequalities of caste, class, language and region. State Boards will also bear the brunt, potentially being forced to effect science syllabus changes so that newer generations of students do not shift to the CBSE Board to avoid such a disadvantage in the future. This is in direct contravention to the stated aim of NEET to level the playing field for contenders across the country.
- 2. Linguistic Federalism:** Different states have their own criteria for student admissions to medical colleges. For example, students in Tamil Nadu are selected on the basis of their class 12 exams, which could be in either English or Tamil. This, it is argued, allows poor Tamil students equal opportunity to compete for a seat. The fact that NEET is based on the CBSE syllabus and will at present be conducted only in English and Hindi (although the Supreme Court is considering a plea submitted by the government seeking for the exam to also be held in 6 vernacular languages⁵), will give English/Hindi medium students a distinct advantage over vernacular students (including those whose native language is not listed in the 6 languages submitted by the government for consideration). Governments of non-Hindi speaking states have strongly protested the decision.
- 3. Rural Healthcare:** India faces a major rural healthcare problem. According to a United Nations Report, 75% of India's health infrastructure (including doctors, medical facilities and other resources) is concentrated in urban areas (which are home to only 27% of the national population). It is increasingly hard for states to get qualified doctors for rural postings. Although India's rural population makes up its sizeable majority, its needs are consistently ignored, widening the gap between rural and urban health indicators.⁶ A Parliamentary Standing Committee set up to investigate the Medical Council of India has blamed it for the poor state of India's healthcare. The effect is evident as 63 million people are faced with poverty every year due to health care costs alone which clearly indicates that "health care is moving away from the reach of the people in general and the poor in particular," the panel laments.⁷

The public rural health system is dominated by students who are from rural areas and have studied in their mother tongue. An exam such as NEET that is intrinsically biased against students from rural and economically weaker backgrounds (thus depriving them of seats in medical colleges) will potentially exacerbate an already deplorable rural healthcare situation. In a country as linguistically diverse as India, cultural and linguistic barriers must not prevent caregivers from providing effective healthcare to the masses.⁸

- 4. Unique Character of Minority Institutions:** A number of judgments over the years have protected the autonomy of minority institutions to devise their own entrance tests. With each institution having its own unique character and requirements, the multicultural and multifaceted nature of India's available pool of talent is allowed to flourish. The Supreme Court's decision in *T.M.A Pai v. State of Karnataka* (2002) that gave minority institutions the freedom to devise their own tests stated:

⁵ Article (2016), 'SC to consider Centre's plea on holding NEET in 6 regional languages', The Indian Express, May 10, 2016. Available at <http://indianexpress.com/article/education/sc-neet-exam-centre-plea-regional-languages-2794067/#>

⁶ Parthajit Dasgupta (2013), 'The Shameful Frailty of the Rural Healthcare System in India', Future Challenges, February 02, 2013. Available at <https://futurechallenges.org/local/the-frailty-of-rural-healthcare-system-in-india/>

⁷ Rakesh Bhatnagar (2016), 'Medical Council of India largely responsible for corruption in health care, reveals committee', First Post, April 29, 2016. Available at <http://www.firstpost.com/india/medical-council-of-india-largely-responsible-for-corruption-in-health-care-reveals-committee-2755450.html>

⁸ Garga Chatterjee (2016), 'India's healthcare system will suffer because of NEET's bias towards the CBSE syllabus', Scroll.in, May 18, 2016. Available at <http://scroll.in/article/808036/part-ii-indias-healthcare-system-will-suffer-because-of-neets-bias-towards-the-cbse-syllabus>

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“Each of the people of India has an important place in the formation of the nation. Each piece has to retain its own colour. By itself, it may be an insignificant stone, but when placed in a proper manner, goes into the making of a full picture of India in all its different colours and hues.

A citizen of India stands in a similar position. The Constitution recognizes the differences among the people of India, but it gives equal importance to each of them, their differences notwithstanding, for only then can there be a unified secular nation. Recognizing the need for the preservation and retention of different pieces that go into the making of a whole nation, the Constitution, while maintaining, inter alia, the basic principle of equality, contains adequate provisions that ensure the preservation of these different pieces.

The essence of secularism in India is the recognition and preservation of the different types of people, with diverse languages and different beliefs, and placing them together so as to form a whole and united India.”⁹

- 5. Corruption:** While a stated objective of NEET was to act as a check on corruption, the Medical Council of India (which will be conducting the examination) has itself constantly faced serious allegations of corruption. In its order for the removal of Dr. Ketan Desai from his position as President of the MCI, the Delhi High Court went so far as to call the MCI a “den of corruption”¹⁰.

A recent Parliamentary Standing Committee headed by Prof. Ram Gopal Yadav presented damning findings about the MCI before the Rajya Sabha. Terming it a “club” of influential medical practitioners who act without any fear of governance and regulations, it found the MCI responsible for the prevailing dire state of healthcare and low standard of conduct among a large section of medical practitioners and hospitals, while also taking the government to task for failing to make any attempt to regulate it. The composition of MCI at present “doesn’t represent professional excellence nor follows medical ethos. The current composition of the Council reflects that more than half of the members are either from corporate hospitals or in private practice.” Terming the action of MCI as “ethically impermissible”, the high-powered panel says, “It seems the MCI has become captive to private commercial interests, rather than its integrity in public interest.”¹¹

Eight people have already been arrested in Varanasi on allegations of leakages of NEET papers. Last year, the All India Pre-Medical Test (organised by the CBSE) was cancelled by the Supreme Court due to rampant cheating in Haryana.¹²

This casts serious doubt on whether NEET will truly be a corruption-free alternative.

Conclusion:

The objective of NEET is noble – students in India are facing record levels of stress due to stiff competition and a seemingly endless array of entrance exams, especially for streams such as engineering and medicine, and any effort to alleviate the situation is much needed. However, while NEET may seem like the perfect solution to the problem, it does

⁹ Kirpal, J (2002), ‘T.M.A.Pai Foundation & Ors vs State Of Karnataka & Ors’, Supreme Court of India, October 31, 2002. Available at [http://righttoeducation.in/sites/default/files/W.P.%20\(C\)%20No.%20350%20of%201993.PDF](http://righttoeducation.in/sites/default/files/W.P.%20(C)%20No.%20350%20of%201993.PDF)

¹⁰ Article (2001), “Medical Council of India a den of corruption”, The Times of India, November 24, 2001. Available at <http://timesofindia.indiatimes.com/india/Medical-Council-of-India-a-den-of-corruption/articleshow/429120465.cms>

¹¹ Rakesh Bhatnagar (2016), ‘Medical Council of India largely responsible for corruption in health care, reveals committee’, First Post, April 29, 2016. Available at <http://www.firstpost.com/india/medical-council-of-india-largely-responsible-for-corruption-in-health-care-reveals-committee-2755450.html>

¹² Faizan Mustafa (2016), ‘NEET Returns in not so Neat a Manner’, The New Indian Express, May 04, 2016. Available at <http://www.newindianexpress.com/columns/NEET>Returns-in-not-so-Neat-a-Manner/2016/05/04/article3413743.ece>

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nothing more than scratch the surface, while simultaneously causing potentially deeper damage to an already broken system.

A centralised entrance examination will not result in the level playing field that it seeks to achieve, for it fails to consider the diversity of India's students, as well as the diversity of its needs. NEET will effectively wipe out the individual character and autonomy of India's various regional educational institutions, while also leaving a large swathe of the national population to bear the unnecessary burden of their educational and professional aspirations dependent on a single paper that is based on an unfamiliar syllabus, in an unfamiliar language.

A possible solution to this issue would be for both examinations to be held concurrently. Those institutes (including government institutes) that wish to opt for NEET can do so. However, states must be given the choice of opting to conduct their own examinations, or lay down their own criteria, if they so choose. Students are thus spared a significant burden of writing an unnecessary number of examinations, while also not losing out if they cannot attempt NEET due to linguistic or other barriers.

What remains to be seen is the final stand that will be taken by the Central Government. While it claims to support the nationalisation of medical admission tests, it is also under political pressure from its coalition partners to do away with this policy. It must ensure, however, that the real impact of NEET is not wilfully ignored by organisations with vested interests.

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Headlines

Avoiding Reform

(*The Business Standard*, May 29, 2016)

The two-year anniversary of the Narendra Modi-led National Democratic Alliance government has been something of an extravaganza. And, certainly, given the decent macroeconomic indicators and signs of green shoots in the economy, the government has something to celebrate. But there was a mismatch between the over-the-top tone of the publicity blitz and the relatively limited ambitions of the government with regard to future policy reforms.

Read More: http://www.business-standard.com/article/opinion/avoiding-reform-116052900714_1.html

Date Accessed: 30.5.2016

School Policy Tonic: Proud to be Indian

(*Basant Kumar Mohanty, The Telegraph*, May 29, 2016)

A draft education policy has suggested that the curriculum be drawn up with the objective of making every student feel proud of being Indian. The content of every subject, particularly in school, should be designed weaving in values like righteousness, truth and the students' responsibility to themselves and the country, the source said, summarising recommendations submitted to the Union human resource development ministry last week.

Read More: http://www.telegraphindia.com/1160530/jsp/frontpage/story_88384.jsp#.V0v38vI97IU

Date Accessed: 30.5.2016

Economy

Government Plans Legislation to Crack Down on Ponzi Schemes

(The Times of India, May 30, 2016)

The government plans legislation to close a regulatory loophole that has made it possible for fraudsters to dupe millions of savers, as Prime Minister Narendra Modi strives to bring the rural poor into the mainstream banking system. Unscrupulous operators have bilked savers of billions of dollars by running pyramid schemes or promoting questionable investments in everything from tree plantations to farming emus, a flightless bird.

Parliament could consider a bill in July that would replace weak rules that now govern credit cooperatives operating in more than one state. These are now overseen by just 10 staff at the agriculture ministry.

India does not have a unified regulatory regime to counter Ponzi, or pyramid, schemes whose operators typically grab new deposits to meet their promise of guaranteed returns to existing savers. Such schemes can snowball but are doomed to eventual collapse when they run out of new savers. Federal investigators are probing cases in which 60 million savers have lost some \$10 billion. The lack of sanctions means that kingpins behind failed deposit schemes are rarely punished.

Read More: <http://timesofindia.indiatimes.com/business/india-business/Govt-plans-legislation-to-crack-down-on-Ponzi-schemes/articleshow/52501270.cms>

Date Accessed: 30.05.2016

Governance & Development

HEALTH

Last Resort

(Jean Jacob, *The Caravan*, May 1, 2016)

In the world of palliative care—a branch of medicine focussed on improving the quality of life of people with life-limiting illnesses, by relieving physical symptoms such as pain and offering psychological and spiritual care to both patients and their caregivers—practitioners distinguish between a “good death” and a “bad death.” A good death is one where the patient dies peacefully, without pain, in the presence of her loved ones and often at home. A bad death is one where the patient dies alone, often in unbearable pain, typically after having her life prolonged by aggressive and dehumanising care, usually in an ICU. Too many deaths in India fall into the second category.

Read More: <http://www.caravanmagazine.in/perspectives/last-resort-india-palliative-care>

Date Accessed: 30.5.2016

URBAN

Safety is Not a Privilege That Delhi Can Deny its Poor

(Shivani Singh, *Hindustan Times*, May 30, 2016)

Post-2012, our cops usually deal with these cases more sensitively. But is mere registration of cases enough? Judicial remedies or police reforms, though absolutely necessary, are mostly curative, rather than preventive, measures. Gender-based violence, to quote the Justice Verma report on legal reforms, “that cannot be overcome by laws has to be overcome by administration.” We have to also find solutions in the wider matrix of urban development.

Failure of policing is blamed for any meltdown of the rule of law that encourages violent behaviour. But when it comes to gender-based violence and women’s safety, one must also take failure of governance into account. Delhi Police’s own data shows that almost 50% of the crimes committed in the capital are in the working class areas, the city’s worst blind spots. It is here that the police presence is patchy, governance weak and civic infrastructure nondescript. If the response of the police and the rest of the administration to middle-class demands are often knee-jerk, one can imagine how the so-called underclass is treated. It is not surprising that their complaints are rarely heard and almost never attended to.

The Delhi Human Development Report on the perception survey conducted in 2013 found that the lack of civic services such as functional street lights and safe public toilets was the biggest concern in the poorer areas of the city. This showed that inadequate attention was paid to gender-sensitive urban planning, contributing to the fear of violence in public spaces among women, particularly those from poorer backgrounds. However, this perception has not always found an echo in the official statistics, the report concluded.

Preoccupied with their livelihood battles, the working-class women have little time or motivation to organise protest marches demanding safety. But that doesn’t mean they have given up their basic rights. Anyway, safety is not a privilege that this city of rich and powerful can deny its ordinary women.

Read More: <http://www.hindustantimes.com/columns/safety-not-a-privilege-that-delhi-can-deny-its-poor/story-Tajm6NfDZVN9YbqTtHWTDL.html>

Date Accessed: 30.05.2016

ENVIRONMENT

India’s Pollution Problem May Be ‘Hiding’ Extreme Heat Spikes

(Sarah Perkins-Kirkpatrick, Andrew King & Geert Jan Van Oldenborgh, *The Wire*, May 30, 2016)

India is known for its unbearable conditions at this time of year, just before the monsoon takes hold. Temperatures in the high 30s are routine, with local authorities declaring heatwave conditions only once thermometers reach a stifling 45°C. But the record comes on the back of an exceptionally hot season, with several heatwaves earlier in the year. So what’s to blame for these scorching

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conditions?

India also has an extreme air pollution problem. Caused largely by domestic fuel and wood burning, it kills up to 400,000 people every year. This pollution, made up of fine particles called aerosols, also has the effect of cooling the local climate by reflecting or absorbing sunlight before it reaches the ground, thus reducing the likelihood of the most extreme high temperatures. So although India is no stranger to extreme heat at this time of year, the smog has kept record-breaking high temperatures at bay – until now.

It is feasible that India's pollution problem has been "hiding" extreme heat spikes. While any clean-up activities will have many positive local health impacts, these are likely to cause more intense heatwaves in future. This will be amplified by background warming due to climate change, which is also likely to drive increases in the frequency of temperature extremes.

Read More: <http://thewire.in/2016/05/30/indias-pollution-problem-may-be-hiding-extreme-heat-spikes-39349/>

Date Accessed: 30.05.2016

LAW AND JUSTICE

Jat Quota Row: Haryana Government to File Application in Punjab and Haryana HC (*The Indian Express*, May 30, 2016)

The Haryana Government will file an application in the Punjab and Haryana High Court on Monday over the Jat reservation issue. Jat community leaders from Haryana, Uttar Pradesh, and Delhi staged a protest on Sunday outside Union Home Minister Rajnath Singh's residence, demanding reservation for the community after the High Court brought an interim stay on the reservation given to Jats and five other castes in the state.

Hearing a petition challenging reservations for Jats and other castes on the grounds that it is in violation for a Supreme Court order, the Punjab and the Haryana High Court earlier on Thursday brought an interim stay on the Jat reservation quota and fixed July 21 for the next hearing, when the government will file its reply. The Haryana Cabinet had on March 28 approved the amendments in the Haryana Backward Classes (Reservation in Services and Admission in Educational Institutions) Bill, which enlists Jats, Bishnois, Tyagis, and Rors in the recently sculpted Backward Classes (C) category, making them eligible for 10 per cent reservation in classes 3 and 4 posts, and six percent reservation in classes 1 and 2 jobs.

Read More: <http://indianexpress.com/article/india/india-news-india/jat-quota-row-haryana-government-to-file-application-in-punjab-and-haryana-high-court-2825623/>

Date Accessed: 30.05.2016

Society

SOCIAL JUSTICE

Transgenders in Odisha to Get BPL Status, Will Be Covered under National Food Security Act

(The Huffington Post, May 29, 2016)

Odisha government today decided to accord BPL (below poverty line) status to transgenders in the state. "The state government has decided to accord BPL status to the transgender persons and they will get all benefits availed by the poor," Women and Child Development Minister Usha Devi told reporters.

Chief Minister Naveen Patnaik, who reviewed the performance of the department, asked it to cover other social security schemes for the transgenders.

All Odisha Eunuch and Transgender Association welcomed the state government's decision. "We are happy that the Odisha government is the first in the country to accord BPL status to transgenders," said association president Pratap Sahu. Sahu said 22,000 transgender persons will be benefitted by the government's decision.

This apart, the state government has also decided to cover transgenders under National Food Security Act (NFSA).

Read more: http://www.huffingtonpost.in/2016/05/29/transgenders-bpl-status-odisha_n_10190040.html?utm_hp_ref=india

Date Accessed: 30.05.2016

SOCIAL CONFLICT AND VIOLENCE

The Attacks on Africans in India have Exposed Another Ugly Face of the Caste System

(Ranjit Hoskote, Scroll.in, February 29, 2016)

I do not understand how the possibility that criminals in some African countries have attacked some Indians justifies attacks on Africans in India, which are patently fuelled and justified by racist animosity.

And yet, there are also those heartening reactions from individuals who connect our racist impulses with our casteist conditioning, who identify our response to Africans with our Aryan obsessions, writ large across the matrimonial columns in our newspapers, and evident in our advertising, and our everyday language. The axial structuring principle of Indian society is caste, with its debilitating logic of mutual repulsion. In the language of the sociologists: The privileging of the svadharm or caste dharma, the difficulty this poses for the practice of a maanav-dharma or humanitarian dharma, and eventually, the derision of all for all, which leaves little room for productive solidarities based on universal values that lie beyond the interests of the caste-group or community.

Caste-commitment and Afrophobia are not unrelated. And one additional detail: Our self-hatred, based on the certain knowledge, daily reinforced by the mirror on the wall, that most of us are only a few shades distant from those we profess to despise and humiliate with ugly terms of abuse like kaaliya, translations of which, in English, German and Danish, can easily be applied to many of us when we ourselves are in foreign lands, at the mercy of strangers.

Read More: <http://scroll.in/article/809003/the-attacks-on-africans-in-india-have-exposed-another-ugly-face-of-the-caste-system>

Date Accessed: 30.05.2016

India and World

EUROPE

A View from Berlin

(The Telegraph, May 30, 2016)

In a Europe beset with an insignificant rate of economic growth and problems related to the refugee influx, internal divisions are growing larger. Given the threats from Islamic extremism, doubts about the value of free movement in the Schengenarea, the Eurozone debt, general disillusion with the European Union as manifested by a British referendum in June to decide whether to leave it, and the rise of populist political right- and left-wing parties, Europe is in unprecedented difficulties. For India, which has viewed Europe as an important economic partner and an advocate of free trade, this is not good news.

Read More: http://www.telegraphindia.com/1160530/jsp/opinion/story_88297.jsp#.V0v54f197IU

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Opinions / Books

OPINIONS

Inside Student Radicalism

(David Brooks, *The New York Times*, May 27, 2016)

Today's elite college students face a unique set of pressures. On the professional side life is competitive, pressured, time-consuming, capitalistic and stressful. On the political side many elite universities are home to an ethos of middle-aged leftism. The general atmosphere embraces feminism, civil rights, egalitarianism and environmentalism, but it is expressed as academic discourse, not as action on the streets.

This creates a tension in the minds of some students. On the professional side they are stressed and exhausted. On the political, spiritual and moral side they are unfulfilled.

Read More: http://www.nytimes.com/2016/05/27/opinion/inside-student-radicalism.html?emc=edit_ty_20160527&nl=opinion&nid=71538857&r=0

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Why do Some Failed Ideas Stay Popular?

(Shivam Vij, *The Huffington Post*, May 30, 2016)

The conclusion from these three examples-India Against Corruption, Odd-Even Scheme, Swachh Bharat Abhiyan- is that the public likes moralising from its leaders. The people like it when they are told that the onus is on them to reduce corruption, to fight for new laws against it, to reduce pollution by sacrificing their car convenience, or to clean up the streets.

Read More: http://www.huffingtonpost.in/2016/05/28/failed-govt-ideas-popular_n_10176852.html?utm_hp_ref=politics

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