

Long overdue

OBC reservation in All-India Quota medical seats puts an end to a discriminatory policy

Reservation for students from Backward Classes in seats surrendered by States to an 'All-India Quota' (AIQ) in medical colleges run by State governments was long overdue. The Centre's decision to extend its 27% reservation for 'other backward classes' to all seats under the AIQ is a belated, but welcome development, as Other Backward Class (OBC) candidates have been denied their due for years. And in concord with its keenness to balance OBC interests with those of the socially advanced sections, the Union government has also decided to provide 10% of the AIQ seats to those from the Economically Weaker Sections (EWS). This is almost entirely the outcome of a Madras High Court verdict and the efforts of the Dravida Munnetra Kazhagam, which approached the court with the demand. The AIQ is a category created by the Supreme Court to free up some seats from residential or domicile requirements in some States for admissions to their medical colleges. Introduced in 1986, the AIQ comprised 15% of undergraduate medical and dental seats and 50% of post-graduate seats surrendered by the States for admission through a central pool. There was no reservation in the AIQ, and, once in the past, the Supreme Court set aside a Madras High Court order directing the Centre to implement Scheduled Castes/Scheduled Tribes quota in the category.

In 2007, the Supreme Court allowed 15% Scheduled Caste reservation and a 7.5% Scheduled Tribe quota under the AIQ. Meanwhile, based on a central law favouring Backward Class reservation in educational institutions, the Union's 27% OBC quota was introduced in central educational institutions. There was no move to implement OBC reservation in the category. In the courts, the Medical Council of India argued against OBC reservation, but the Union government said it was not averse to the reservation, subject to an overall 50% limit. The omission of OBC reservation in the AIQ seats was obviously discriminatory. There were OBC seats in medical institutions run by the Centre, as well as State-specific quotas in those run by the States. It was incongruous that seats given up by the States to help the Centre redistribute medical education opportunities across the country were kept out of the ambit of affirmative action. There was even a case to argue that, as AIQ seats originally belonged to the States, the quota policy applicable to the respective States ought to be applied to them. The Madras High Court, in July 2020, held that there was no legal impediment to OBC reservation, but, given that the policy varied from State to State, it left it to the Centre to decide the modalities for quotas from this academic year. The Centre has now decided on the 27% OBC quota, but not before the High Court termed the delay in doing so "contumacious".