The Dentists (Amendment) Ordinance 2016

On 21st December 2010, the Medical Council of India (MCI) and the Dental Council of India (DCI) had issued notifications, wherein the existing statutory regulations had been amended to provide for a single National Eligibility-cum-Entrance Test (NEET) for admission to MBBS/BDS course. This step was taken with the objective of ensuring uniform standards for medical education, which was of paramount interest to the patient and the single-window system to draw the merit list was a step in that regard. This notification also followed the Supreme Court's order in the Simran Jain case to have a common entrance test.

However, on 18th July 2013, a 3-member bench of the Supreme Court struck down the NEET on constitutional grounds by a majority vote of 2:1 while hearing the Christian Medical College, Vellore v/s Govt. of India, 2014 (2) SCC 305. On 28th April 2016, the Supreme Court while delivering its judgment in W.P (C) No. 261/2016 directed the Government of India and MCI and DCI to conduct the NEET for admission to MBBS and BDS courses in the country nullifying the Entrance examinations conducted by individual states for admission to these courses. Various states challenged this order in court but the SC rejected their pleas. In light of the fact that several states raised the issue pertaining to difference in syllabi of CBSE and state boards as well as the point that NEET should be held in regional languages, the Government of India decided to take into consideration their perspective and allow for state boards to be kept out of the ambit of NEET for the year 2016-17.

Accordingly, the Government of India promulgated the Dentists (Amendment) Ordinance 2016 on 24th May 2016. The said ordinance amended the Dentists Act, 1948 to introduce a common and uniform entrance examination titled NEET for admission into all dental colleges across the country at the undergraduate and postgraduate levels. This ordinance also exempted State Government from making admission to BDS courses through NEET in the government seats only (i.e. the BDS seats in the Government Dental Colleges and Government Merit Seats in the self-financing Dental Colleges). However, all self-financing dental colleges are required to fill the Management quota seats from the list of eligible candidates prepared based on the NEET only. The Ordinance also gave DCI the power to decide on the framework for conducting the NEET with regards to the designated authority, manner of conducting the examination and the languages in which the examination would be conducted.

Role of States in the Admission Process

As per a 1984 Supreme Court judgment, all government colleges were directed to set aside 30 per cent of the seats, which was later reduced to 15 per cent, for open admission on all-India basis, giving birth to the annually held All India Pre-Medical Test (AIPMT). This was later extended to all private colleges as well. However, in states like Tamil Nadu, 85 percent of the seats in government medical colleges is filled under government quota, wherein it is done on the basis of marks scored in Class XII examination. Going further, states such as Andhra Pradesh and Telangana also have special provision under Article 371 D of the Constitution.

List of Number of Colleges offering BDS course in India (state-wise)

According to the Dental Council of India, there are a total of 292 colleges across the country offering BDS, out of which 44 are government run colleges whereas the rest are private. Approximately 54 percent of these colleges are present in only 5 southern and western states – Karnataka, Maharashtra, Tamil Nadu, Kerala and undivided AP.

Name of State	BDS Colleges (Govt)	Name of State	BDS Colleges (Govt)
Andaman and Nicobar Islands	0	Lakshadweep	0
Andhra Pradesh (undivided)	25 (2)	Madhya Pradesh	15 (1)
Arunachal Pradesh	0	Maharashtra	37 (4)
Assam	1 (1)	Manipur	1 (1)
Bihar	5 (1)	Meghalaya	0
Chandigarh	1 (1)	Mizoram	0
Chhattisgarh	6 (1)	Nagaland	0
Dadra and Nagar Haveli	0	Odisha	4 (1)
Daman and Diu	1 (0)	Puducherry	4 (1)
Delhi	3 (3)	Punjab	14 (2)
Goa	1 (1)	Rajasthan	14 (1)
Gujarat	12 (4)	Sikkim	0
Haryana	11 (1)	Tamil Nadu	27 (2)
Himachal Pradesh	5 (1)	Tripura	0
Jammu and Kashmir	3 (2)	Uttar Pradesh	26 (3)
Jharkhand	3 (0)	Uttarakhand	2 (0)
Karnataka	42 (2)	West Bengal	4 (3)
Kerala	25 (5)		