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GOVERNMENT OF INDIA
DIRECTORATE GENERAL OF HEALTH SERVICES
NIRMAN BHAWAN, NEW DELHI-110108

Ref. U-12021/01/2022-MEC

Dated: 22-09-2022

NOTICE

URGENT ATTENTION: Institutes participating for UG/ PG Counselling 2022

It is for the information to all Institutes and Candidates participating in UG/ PG Counselling 2022 that vide Gazette Notification of Ministry of Home Affairs Gazette Notification No. S.O.1050 (E) dated 04/03/2021 it has been stated as under:

“(4) parity with Non-Resident Indians in the matter of- (ii) appearing for the all India entrance tests such as National Eligibility cum Entrance Test, Joint Entrance Examination (Mains), Joint Entrance Examination (Advanced) or such other tests to make them eligible for admission only against any Non-Resident Indian seat or any supernumerary seat: Provided that the OCI cardholder shall not be eligible for admission against any seat reserved exclusively for Indian citizens”

Explanation— For the purposes of this notification— (1) The OCI Cardholder (including a PsIO cardholder) is a foreign national holding passport of a foreign country and is not a citizen of India.

The candidates approached Hon’ble Supreme Court of India against this Gazette Notification during the counselling of last year i.e 2021 in W.P © No. 1397/2020 Dr. Radhika Thapar & Ors. Vs. Union of India & Ors. Providing relief to the applicants and similarly placed eligible candidates the Hon’ble Court vide order dated 08.11.2021 permitted that such candidates should be treated as ‘General’ on par with Indian citizens to pursue Under Graduate/ Post Graduate courses. However, the interim relief was limited to the year 2021-22 only. The relevant excerpt of order states as under;

“It is made clear that the aforesaid interim relief is limited to the academic year 2021-2022 only”

Hence, OCI/PIO/Foreign Nationals will only be eligible for NRI seats and not for Indian (All India Quota/ Central/ Deemed Paid/ Indian) seats for the current academic year.

In this regard, it is advised that Deemed Universities/ Institutes where NRI seats are available should verify only citizenship card for OCI/ PIO/ Foreign National candidates at the time of reporting and not other NRI documents which are asked & verified for NRI Sponsored Candidates. Also, the Nationality of all candidates should be checked along with other documents.

The NRI/ NRI Sponsored candidates should note that they are eligible for Indian (All India Quota/ Central/ Deemed Paid/ Indian) seats as well as for NRI seats.

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