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SPEED-POST

भारतीय दन्त परिषद
DENTAL COUNCIL OF INDIA
(CONSTITUTED UNDER THE DENTISTS ACT 1948)

No.DE-88(10)-M2-2018/ 9676

Dated the 13 February, 2019

To

1. The Health Secretaries of the State Governments.
2. The Director of Medical Education of the State Governments.

Sub:- Proposed draft "Revised BDS Course Regulations (10th Amendment) Regulations, 2018" - regarding Selection Procedure (including disabilities)

Sir/Madam,

I am directed to state that the General Body of DCI in its meeting held on 23rd & 24th January, 2019 considered Draft "Revised BDS Course Regulations (10th Amendment) Regulations, 2019" regarding Selection Procedure (including disabilities) and after discussion and deliberation decided to forward the said draft Regulations to all the State Governments for obtaining their comments.

2. With the above, I am directed to enclose herewith the proposed draft "Revised BDS Course (10th Amendment) Regulations, 2019", as annexure "A", with the request to kindly furnish comments of your State Government in respect thereof as envisaged u/s 20(2)(g)&(h) of the Dentists Act, 1948, **within 21 days positively from the date of issue of this letter by Email/Speed Post** to the Government of India for consideration, under intimation to DCI office. In case no comments are received in the subject Regulations within stipulated period, it shall be presumed that your State Government has no objection to the same.

3. This may kindly be treated as **Most Urgent**.
4. Kindly acknowledge the receipt of this letter immediately.

Yours faithfully,


(Dr. Sabyasachi Saha)
Secretary
Dental Council of India

Encl: As above

C.C.:-

1. The Secretary to the Govt. of India, Ministry of Health & Family Welfare, (Deptt. Of Health – DE Section), Nirman Bhavan, Maulana Azad Road, New Delhi – 110011 – for information and necessary action.
2. The President, Dental Council of India, New Delhi
3. DE-55-2017(G.B.-23&24.01.2019)/Item No.11(16)s /MISC-II

**DENTAL COUNCIL OF INDIA
AMENDMENT NOTIFICATION**

New Delhi, the February, 2019

No.DE-88(10)-2019-In exercise of the powers conferred by Section 20 of the Dentists Act, 1948, the Dental Council of India with the previous sanction of the Central Government, and in supersession of Revised BDS Course (2nd Amendment, 5th Amendment & 8th Amendment) Regulations, 2010, 2012 and 2017 notified on 29th Oct. 2010, 31st May, 2012 and 27.7.2017 hereby makes the following Regulations to further amend the " Revised BDS Course Regulations, 2007", namely:—

1. (i) These Regulations may be called the "Revised BDS Course Regulations (10th Amendment) Regulations, 2019.
- (ii) They shall come into force from the date of their publication in the Official Gazette.
2. The heading captioned as "**ADMISSION, SELECTION, COUNSELLING AND MIGRATION**" before chapter I of Principle Regulation the following shall be added under a new sub-heading:

PREAMBLE

- (1). The Parliament of India has amended the Dentists Act, 1948 by The Dentists (Amendment) Act 2016. This Amendment Act after receiving the assent of the President has been notified in the Gazette of India on 5August, 2016. The Dentists (Amendment) Act 2016 has inserted section 10 D and clause (ha) in section 20 to the Dentists Act, 1948. The said provision provides for a uniform entrance examination to all dental educational institutions at the under graduate level and post graduate level by the "designated authority". By virtue of this Amendment the Parliament has provided legislative sanctity to the National Eligibility-Cum-Entrance Test [hereinafter "NEET"] included in the Revised BDS Course Regulations, 2007 by Amendments notified in the Official Gazette on 1st June, 2012.
- (2). Earlier, the provisions relating to NEET were quashed by the Hon'ble Supreme Court vide its judgment dated 18July, 2013 in *Christian Medical College Vellore & Ors.vs. Union of India & Ors.* [TC (C) No. 98 of 2012 and other 114 connected Petitions]. However, on a Review Petition preferred by the Medical Council of India and the Union of India, the Hon'ble Supreme Court vide its order dated 11April, 2016 in Review Petition (C) Nos. 2059-2268 of 2013 captioned as *Medical Council of India vs. Christian Medical College Vellore & Ors.* has revived NEET Regulations. Furthermore, in pursuance of the Order dated 28April, 2016 of the Hon'ble Supreme Court in Writ Petition (Civil) Nos. 261 of 2016, captioned as *Sankalp Charitable Trust & Anr. vs. Union of India & Ors*, the National Eligibility-cum-Entrance Test for admission to the BDS course were conducted for the academic year 2016-17. For admission to BDS for academic year 2017-18, in terms of the Dentists (Amendment) Act, 2016 the National Eligibility-cum-Entrance

Test is the uniform entrance examination to all medical educational institutions at the undergraduate level and shall continue to be the uniform entrance examination to all medical educational institutions at the undergraduate level.

3. The existing Chapter I "**Admission to Dental Course - Eligibility Criteria:**", Chapter II "**Selection of Students**" of Principle Revised BDS Course Regulations, 2007 and the 2nd, 5th Amendment & 8th Amendment thereto notified and published under part III section IV of Extraordinary Gazette of India on 29th Oct. 2010, 1st June, 2012 and 27th July, 2017 are hereby deleted and substituted as under:-

- i. **Admission to the Dental Course-Eligibility Criteria:** No candidate shall be allowed to be admitted to the Dental Curriculum proper of first Bachelor of Dental Surgery course until he /she has qualified the National Eligibility Entrance Test, and he/she shall not be allowed to appear for the National Eligibility-Cum-Entrance Test until:

1. He/she shall complete the age of 17 years on or before 31st December of the year of admission to the BDS.

Provided further that in order to be eligible, the upper age limit for candidates appearing for National Eligibility Entrance Test and seeking admission to BDS programme shall be 25 years as on the date of examination with a relaxation of 5 years for candidates belonging to SC/ST/OBC category and persons entitled for reservation under the Rights of Persons with Disabilities Act, 2016.

- 1.1 He/She has obtained a minimum of marks in National Eligibility-Cum-Entrance Test as prescribed in these Regulations in this behalf.

2. He/She has passed qualifying examination as under:-

- (a) The higher secondary examination or the Indian School Certificate Examination which is equivalent to 10+2 Higher Secondary Examination after a period of 12 years study, the last two years of study comprising of Physics, Chemistry, Biology/Biotechnology and Mathematics or any other elective subjects with English at a level not less than core course of English as prescribed by the National Council of Educational Research and Training after the introduction of the 10+2+3 years educational structure as recommended by the National Committee on education;

Provided that two years of regular and continuous study of Physics, Chemistry, Biology/Biotechnology taken together shall be required at 10+2 level for all the candidates. Candidates who have passed 10+2 from Open Schools or as Private candidates shall not be eligible to appear for National Eligibility-cum-Entrance Test. Furthermore, study of Biology/Biotechnology as an Additional Subject at 10+2 level also shall not be permissible.

Note: Where the course content is not as prescribed for 10+2 education structure of the National Committee, the candidates will have to undergo a period of one year pre-professional training before admission to the Medical colleges;

Or

- (b) The intermediate examination in science of an Indian University/Board or other recognised examining body with Physics, Chemistry and Biology/Bio-technology which shall include a practical test in these subjects and also English as a compulsory subject;

Or

- (c) The pre-professional/pre-medical examination with Physics, Chemistry and Biology/Bio-technology, after passing either the higher secondary school examination, or the pre-university or an equivalent Examination. The pre-professional/pre-medical examination shall include a practical test in Physics, Chemistry and Biology/Bio-technology and also English as a compulsory subject;

Or

- (d) The first year of the three years degree course of a recognized university, with Physics, chemistry and Biology/Bio-technology including a practical test in three subjects provided the examination is a "University Examination" and candidate has passed 10+2 with English at a level not less than a core course;

Or

- (e) B.Sc. examination of an Indian University, provided that he/she has passed the B.Sc. examination with not less than two of the following subjects Physics, Chemistry, Biology (Botany, Zoology)/Bio-technology and further that he/she has passed the earlier qualifying examination with the following subjects – Physics, Chemistry, Biology and English.

Or

- (f) Any other examination which, in scope and standard is found to be equivalent to the intermediate science examination of an Indian University/Board, taking Physics, Chemistry and Biology/Biotechnology including practical test in each of these subjects and English.

Note:

- (i) The pre-medical course may be conducted either at Medical College, or a science College.
(ii) After the 10+2 course is introduced, the integrated courses should be abolished.

- 3 In respect of candidates with benchmark disabilities specified under the Rights of Persons with Disabilities Act, 2016, the minimum marks in qualifying examination in Physics, Chemistry and Biology (or Botany and Zoology)/Bio-technology taken together in qualifying examination shall be 45% instead of 50%.

5% seats of the annual sanctioned intake capacity shall be filled up by candidates with benchmark disabilities in accordance with the provisions of the Rights of Persons with Disabilities Act, 2016, based on the merit list of 'National Eligibility-Cum-Entrance Test'. For this purpose the Specified Disability contained in the Schedule to the Rights of Persons with Disabilities Act, 2016 is annexed in Appendix 'A'.

Provided further that this entire exercise shall be completed by each dental college / Institution as per the statutory time schedule for admissions and in no case any admission will be made in the BDS course as prescribed in time schedule.

- II Selection of Students :** The selection of students to dental college shall be based solely on merit of the candidate and for determination of the merit, the following criteria be adopted uniformly throughout the country:

1. Procedure for selection to BDS course shall be as follows : .
 - (1) There shall be a uniform entrance examination to all dental educational institutions at the under graduate level namely 'National Eligibility-cum-Entrance Test' for admission to BDS course in each academic year and shall be conducted under overall supervision of the Ministry of Health & Family Welfare, Government of India.
 - (2) The "designated authority" to conduct the 'National Eligibility-Cum-Entrance Test' shall be the Central Board of Secondary Education or any other body/organization so designated by the Ministry of Health & Family Welfare, Government of India, in consultation with the Dental Council of India.

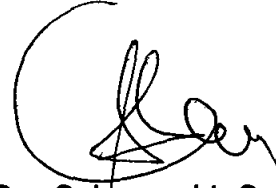
- (3) The language and manner of conducting the 'National Eligibility-Cum-Entrance Test' shall be determined by the "designated authority" in consultation with the Dental Council of India and the Ministry of Health and Family Welfare, Government of India.
- (4) In order to be eligible for admission to BDS Course for an academic year, it shall be necessary for a candidate to obtain minimum of marks at 50 percentile in 'National Eligibility-cum-Entrance Test' to BDS course' held for the said academic year. However, in respect of candidates belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, the minimum marks shall be at 40 percentile. In respect of candidates with benchmark disabilities specified under the Rights of Persons with Disabilities Act, 2016, in terms of Clause 4(3) above, the minimum marks shall be at 45th percentile. The percentile shall be determined on the basis of highest marks secured in the All-India common merit list for admission in 'National Eligibility-cum-Entrance Test' for admission to BDS course.

Provided when sufficient number of candidates in the respective categories fail to secure minimum marks as prescribed in National Eligibility-cum-Entrance Test held for any academic year for admission to BDS Course, the Central Government in consultation with Dental Council of India may at its discretion lower the minimum marks required for admission to BDS Course for candidates belonging to respective categories and marks so lowered by the Central Government shall be applicable for the said academic year only.

- (5) The reservation of seats in Dental Colleges for respective categories shall be as per applicable laws prevailing in States/Union Territories. An All India merit list as well as State/Union Territory-wise merit list of the eligible candidates shall be prepared on the basis of marks obtained in 'National Eligibility-cum-Entrance Test' and candidates shall be admitted to BDS course from the said lists only.
- (6) No candidate who has failed to obtain the minimum eligibility marks as prescribed in Sub-clause (4) above shall be admitted to BDS course in the said academic year.
- (7) No authority/institution shall admit any candidate to the BDS course in contravention of the criteria/procedure as laid down by these Regulations and / or in violation of the judgments passed by the Hon'ble Supreme Court in respect of admissions. Any candidate admitted in contravention/violation

of aforesaid shall be discharged by the Council forthwith. The authority / institution which grants admission to any student in contravention /violation of the Regulations and / or the judgments passed by the Hon'ble Supreme Court, shall also be liable to face such action as may be prescribed by the Council, including surrender of seats equivalent to the extent of such admission made from its sanctioned intake capacity for the succeeding academic year/years.

- (8) All admission to BDS course within the respective categories shall be based solely on the marks obtained in the 'National Eligibility-Cum-Entrance Test'.



Dr. Sabyasachi Saha,
Secretary

Foot Note: The Principal Regulations namely, "Revised BDS Course Regulations, 2007" were published in Part III, Section 4 of the Gazette of India, Extraordinary, dated 10th September 2007 and amended vide Notification (i) dated 07.01.2008 (ii) dated 22.10.2010 (iii) dated 25.08.2011 (iv) dated 08.12.2011 (v) dated 31.05.2012 (vi) dated 24.06.2013, (vii) 23.05.2015, (viii) 12.07.2017.

Appendix 'A'

(Refer Regulation 2 & 4)

A SCHEDULE is annexed with "THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016" regarding, "SPECIFIED DISABILITY" clause (zc) of section 2, that states as under:-

1. **Physical disability**

A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including—

- (a) "leprosy cured person" means a person who has been cured of leprosy but is suffering from—
 - (i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;
 - (ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;
 - (iii) extreme physical deformity as well as advanced age which prevents him/her from undertaking any gainful occupation, and the expression "leprosy cured" shall construed accordingly;
- (b) "cerebral palsy" means a Group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;
- (c) "dwarfism" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;
- (d) "muscular dystrophy" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterized by progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissue;
- (e) "acid attack victims" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment—

- (a) "blindness" means a condition where a person has any of the following conditions, after best correction—
 - (i) total absence of sight; or
 - (ii) visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction; or
 - (iii) limitation of the field of vision subtending an angle of less than 10 degree.

- (b) "low-vision" means a condition where a person has any of the following conditions, namely:—
 - (i) visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 or upto 10/200 (Snellen) in the better eye with best possible corrections; or
 - (ii) limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.
 - C. Hearing impairment
 - (a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears;
 - (b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears;
 - D. "speech and language disability" means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.
2. **Intellectual disability**, a condition characterized by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior which covers a range of every day, social and practical skills, including—
- (a) "specific learning disabilities" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;
 - (b) "autism spectrum disorder" means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviours.
3. **Mental behaviour**,— "mental illness" means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognize reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterized by subnormality of intelligence.
4. **Disability caused due to—**
- (a) chronic neurological conditions, such as—
 - (i) "multiple sclerosis" means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelination and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;

- (ii) "parkinson's disease" means a progressive disease of the nervous system marked by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.
- (b) Blood disorder—
 - (i) "haemophilia" means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterized by loss or impairment of the normal clotting ability of blood so that a minor wound may result in fatal bleeding;
 - (ii) "thalassemia" means a group of inherited disorders characterized by reduced or absent amounts of haemoglobin.
 - (iii) "sickle cell disease" means a hemolytic disorder characterized by chronic anemia, painful events, and various complications due to associated tissue and organ damage; "hemolytic" refers to the destruction of the cell membrane of red blood cells resulting in the release of hemoglobin.
- 5 Multiple Disabilities (more than one of the above specified disabilities) including deaf blindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.
- 6 Any other category as may be notified by the Central Government.

Note: Any amendment to the Schedule to the RPWD Act, 2016, shall consequently stand amended in the above schedule.