

**THE MEGHALAYA SELECTION OF CANDIDATES FOR STATE QUOTA SEATS  
TO HIGHER ACADEMIC COURSES BILL, 2023**

A  
Bill

To provide for merit-based selection of candidates belonging to indigenous Scheduled Tribe communities of Meghalaya, to Economically Weaker Sections, to persons with disabilities, and in unreserved category for state quota seats allotted by Government of India to higher academic courses, and for matters connected therewith or incidental thereto.

BE it enacted by the Legislature of Meghalaya in the Seventy-Fourth Year of the Republic of India as follows:-

Short title and commencement	1.	<p>(1) This Bill may be called the Meghalaya Selection of Candidates for State Quota Seats to Higher Academic Courses Bill, 2023.</p> <p>(2) It extends to the whole territory of the State.</p> <p>(3) It shall come into force on such date as the Governor of Meghalaya may, by notification, appoint.</p>
Definitions	2.	<p>In this Bill, unless the context otherwise requires,</p> <p>(a) “Bill” means the Meghalaya Selection of Candidates for State Quota Seats to Higher Academic Courses Bill, 2023;</p> <p>(b) “Constitution” means the Constitution of India;</p> <p>(c) “higher academic courses” means one or any of the academic courses of study listed in the Schedule;</p> <p>(d) “indigenous Scheduled Tribe communities of Meghalaya” means tribes or tribal communities who are listed in Part XI of the Schedule to the Constitution (Scheduled Tribes) Order, 1950 as amended, and who are not recognised as majority tribal community in any state of India other than state of Meghalaya;</p> <p>(e) “notification” means official notification in the Meghalaya Gazette;</p> <p>(f) “Schedule” means the Schedule appended to this Bill;</p> <p>(g) “state” means the state of Meghalaya;</p> <p>(h) “state quota seats” means seats allotted to Government of Meghalaya.</p>
Application of the Bill	3.	<p>In giving effect to the policy of the State towards securing the principles laid down in Part IV of the Constitution and in particular, in Article 38 and in Article 46 of the Constitution, the provisions of this Bill shall apply to –</p> <p>(1) The Department of Health and Family Welfare, Government of Meghalaya, when selecting candidates to Central Pool MBBS/BDS seats allotted to the Government of Meghalaya.</p> <p>(2) The Directorate of Health Services (MI), Government of Meghalaya, when selecting candidates to para-medical studies, i.e. B.Sc. Nursing, B.Pharm, D.Pharm, BMLT, B.Sc. Radio Imaging &amp; Cardiac Instrumentation and B.Sc Ophthalmic against state quota of seats in Allied courses.</p> <p>(3) The Directorate of Animal Husbandry &amp; Veterinary, Government of Meghalaya, when selecting candidates for admission to B.V.Sc. &amp; A.H.</p>

		<p>Degree Courses against seats allotted to the Government of Meghalaya at Colleges of Veterinary Science in Assam, Mizoram and Nagaland.</p> <p>(4) The Directorate of Higher and Technical Education, Government of Meghalaya, when selecting candidates for admission to Diploma and Degree Level Technical Courses allocated by Department of Higher Education, Ministry of Education, Government of India for Government of Meghalaya.</p> <p>(5) Any other Department or Directorate of the Government of Meghalaya, when selecting candidates to state quota seats for admission to any other higher academic courses not listed in the Schedule.</p>
Selection of candidates with respect to socially and educationally backward communities	4.	<p>Notwithstanding anything contained in any judgement, decree or order of any court or other authority, having regard to the social and educational backwardness of persons belonging to indigenous Scheduled Tribe communities of Meghalaya, and based upon quantifiable data from Census on the percentage of indigenous Scheduled Tribe communities of Meghalaya in the entire state population, the selection of candidates for state quota seats to any higher academic course shall be done on the basis of merit in accordance with the following provisions –</p> <p>(1) Candidates shall be listed in order of merit based on ranking obtained in NEET UG exam of the same year as year of admission into course.</p> <p>(2) 86 (eighty-six) percent of state quota seats in any higher academic course shall be classified for persons belonging to indigenous Scheduled Tribe communities of Meghalaya, who are permanent residents of the state.</p> <p>(3) Remainder of state quota seats in any higher academic course shall be unclassified and open to candidates –</p> <p>(a) from General category, who are permanent residents of the state;</p> <p>(b) from General category who are eligible under Circular issued by Government of India in connection with allotment of Central Pool MBBS &amp; BDS seats, with respect to MBBS &amp; BDS courses only;</p> <p>(c) from indigenous Scheduled Tribe communities of the State who are permanent residents of the state, whose ranking obtained in NEET UG exam of the same year is higher than the last unreserved category candidate.</p>
Reservation of seats for Economically Weaker Sections and Persons with Disabilities	5.	<p>Notwithstanding anything contained in this Bill, reservation across all classifications for state quota seats made in accordance with Section 4 of this Bill shall be subject to the following provisions –</p> <p>(1) 10 (ten) percent of state quota seats in any higher academic course shall be reserved for Economically Weaker Sections, in accordance with the 103<sup>rd</sup> amendment to the Constitution of India, who are permanent residents of the state.</p> <p>(2) 5 (five) percent of state quota seats in any higher academic course shall be reserved for persons with disability, as per disability conditions prescribed by Medical Council of India, who are permanent residents of the state.</p>

Power to amend the Schedule	6.	The Government of Meghalaya may, by notification, add to, or omit from, or otherwise amend the entries in the Schedule, and thereupon the Schedule shall be deemed to have been amended accordingly.
Power to make rules	7.	The Government of Meghalaya may, by notification, make Rules to carry out the purposes of this proposed enactment.

THE SCHEDULE  
[See Section 2(c)]

List of Higher Academic Courses

Entry No.	Description of courses
1	MBBS, BDS
2	B.Sc. Nursing, B.Pharm, D.Pharm, BMLT, B.Sc. Radio Imaging & Cardiac Instrumentation, B.Sc. Ophthalmic
3	B.V.Sc. & A.H.
4	Degree Level Technical Courses in Architecture, Automobile, Civil Engineering, Computer Science/Technology/Engineering/S&E, Electrical Engineering, Electronics Engineering, Electronics & Comm. Engineering, Electronics & Telecomm. Engineering, Mechanical Engineering, Pharmacy, Food Technology
5	Diploma Level Technical Courses in Chemical Engineering, Electronics & Comm. Engineering, Electronics & Telecomm. Engineering, Industrial Electronics Engineering, Textile Process, Printing Technology, Man Made Fibre Technology, Pharmacy

STATEMENT OF OBJECT AND REASONS

The applicability of a 1972 Resolution for Reservation of vacancies in Services/posts under the State Government (otherwise misleadingly known as State Reservation Policy) for loosely implementing reservation in state quota seats to higher academic courses allotted to the Government of Meghalaya has been a bone of contention for 50 years too long, and facing disgruntlement from youth across the state who are becoming increasingly aware of quantifiable data in census demographics and the infringement of their legal rights by the absence of a State Policy or legislation to support academic reservation, the student community particularly those who have been deprived of state quota seats are growing restless in their demand and machinations for a clear cut policy and dependable legislation that brings fairness and justice to educational opportunities laid principle in the relationship between Articles 14 and 15(4) of the Constitution of India.

Hence this Bill.

**Bah Adelbert Nongrum**  
MLA, North Shillong

FINANCIAL MEMORANDUM

Implementation of the provisions of this proposed enactment shall involve no expenditure from the Consolidated Fund of the State.