

SC directs admission of two colour-blind students in MBBS



PTI

NEW DELHI, SEPTEMBER 24, 2017 13:22 IST
 UPDATED: SEPTEMBER 24, 2017 13:34 IST

SHARE ARTICLE [f](#) [t](#) [r](#) [e](#) [m](#) [p](#) [r](#) [i](#) [n](#) [t](#) | A | A | A

The students had secured high marks in the entrance examination conducted by the Tripura government in 2015 during the pre-NEET period.

The Supreme Court has opened the doors for colour-blind students to pursue MBBS course by ordering the admission of two such candidates, who have scored high marks in the entrance examination, for the next academic year.

Terming its action as “transcendental importance of justice,” the apex court said that peculiar facts and circumstances of the case required it to invoke special powers under Article 142 of the Constitution.

The students had secured high marks in the entrance examination conducted by the **Tripura** government in 2015 during the pre-NEET period.

Without any statutory provision barring students from pursuing MBBS course, various colleges and Medical Council of India (MCI) were arbitrarily denying admissions to candidates suffering from Colour Vision Deficiency (CVD), popularly called colour blindness.

Both MCI and the Tripura Medical College had initially objected to their admission into MBBS course as the two students suffered from CVD despite having qualified in the entrance examination.

“Keeping in view the transcendental importance of justice which is writ large in this case, we direct that the appellants shall be admitted in the MBBS course in the respondent No.2-College for the academic year 2018-2019 and the quota from the said year shall be reduced by two seats,” a Bench headed by Chief Justice Dipak Misra said.

The Bench, also comprising Justices Amitava Roy and A.M. Khanwilkar said, “We may hasten to add that we have used the words ‘transcendental importance of justice,’ as it conveys that we are invoking our jurisdiction under Article 142 of the Constitution in the peculiar facts and circumstances of the case.”

The apex court on March 23 constituted an expert committee to ascertain whether colour blindness affected the prospects of students aspiring to become doctors.

The expert committee constituted by the court comprised doctors from AIIMS and Post Graduate Institute of **Medical Education** and Research (PGIMER), Chandigarh and views of amicus curiae senior advocate K.V. Vishwanathan assisted by advocate Shoeb Alam were also taken.

“The expert committee shall review the situation and take note of the prevalent conditions of the study and practice and suggest changes for adoption in the medical course keeping in view the international practices,” the Bench had said while directing the constitution of the committee.

In its report, the committee had opined that “Colour Vision Deficiency does not have any embargo of any type whatsoever” and suggested the incorporation of a suitable provision in the Graduate Medical Education to the effect that a person with visual disability of category I and above shall not be eligible to pursue Graduate Medical Education.

It had also recommended that “testing of Colour Vision Deficiency by Ishihara test be compulsorily incorporated in the format of General Physical Examination of the Student, so that all medical students with suspect colour vision should be aware of severity of their deficiency before entering the medical course, and the kind of problems it may pose in the career they have opted.”

The committee had also said that as per current global practices, there was no policy of regulating entry of medical aspirants to study and practice of the medical profession based on colour vision deficiency.

It has said that CVD nowadays was a common problem and does not significantly impact a person’s ability to become a doctor.

The MCI had objected to the admission of students with CVD in MBBS course, in the wake of report of the expert committee.

It had said that certain guidelines are required to be framed in accordance with the report of the Committee for controlling speciality and super-speciality courses as far as the CVD category is concerned.

The Bench on July 31 asked the MCI to apprise it whether the students can be admitted to MBBS course.

Both the students had initially challenged the denial of admission by the college during counselling in 2015 before Tripura High Court, but had failed to get any relief.

The students then moved apex court challenging the high court order saying the MCI had not framed any regulation debarring them from seeking admission and contending that denial of admission to them constituted violation of the constitutional guarantee of equality.

Ad

7 Month Online Program with 48Hrs of mentorship session by industry experts by Great Lakes

[VISIT SITE](#)

National Who is an urban naxal, asks Romila Thapar

Other States Apple employee shot dead by UP police for not stopping car

National S-400, Kamov on the agenda of Modi, Putin

Tamil Nadu Eight persons, including two children, die in car accident near Tiruchi

Other States India chases away Pakistan copter breaching airspace

You Might Also Like

Barcelona: the captivating city which...
Air France

Jennifer Lawrence, World's Highest-Paid...
Mansion Global

Recommended by [Outbrain](#)

Justice D.Y. Chandrachud overrules father former CJI Y.V. Chandrachud again

This time in adultery law verdict

PTI



Militants, security forces exchange fire in Shopian, search operations under way

Cordon has been strengthened, no fresh firing, says police official

PTI



Top Picks in The Hindu today

Your reading list for the week



Google doodle honours Aravind Eye Hospitals founder Dr. Venkataswamy



Raj Kapoor's wife Krishna dies at 87



[icicprulife.com](#)

ICICI Pru iProtect Smart

₹1 CRORE
LIFE INSURANCE

@ Just ₹ 490 p.m.*

