

'Corridor talks' predicted doom for NEET?

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New Delhi: The Supreme Court corridor talks had much before the delivery of the judgment on Thursday accurately predicted the fate of NEET — the single-window entrance cum-eligibility test for 38,000 MBBS, BDS and MD seats offered by government and at a premium by private medical colleges.

The buzz turned out to be right even about the precise grounds that Chief Justice of India (CJI) Altamas Kabir and Justice Vikramjit Sen cited to scrap the NEET — that MCI and DCI did not have statutory jurisdiction and uniform entrance scheme violated the fundamental rights of both private and minority educational institutions.

Considering that few would have read the draft verdict as well as the premium that SC has traditionally put on secrecy, the clairvoyance of the corridor struck many.

Interestingly, an article captioned "Into the Darkness", written by advocate Gopal Shankamarayan and uploaded on website "Bar and

Bench" at 8.36am on Thursday — a good two hours prior to the pronouncement of the judgment, not only predicted that the petitions by private medical colleges would be allowed by Justices Kabir and Sen on the grounds that MCI had no jurisdiction to notify NEET, but also that Justice A R Dave would dissent.

Shankamarayan wrote: "In a little while, on his last day in office, the Chief Justice's court will deliver the much awaited judgment concerning the validity of the national medical entrance test to be conducted by the Medical Council of India."

"For the better part of the last week, senior counsel and junior advocates alike have without compunction shared a story that the appeals by the private colleges will be allowed with a declaration that the MCI has no jurisdiction, and that Justice Dave will dissent from this view. The judgment, it is confidently touted, runs into more than 190 pages and in excess of 300 paragraphs. It is my fervent hope that this tale is false — a figment of some perverse and destructive mind. In a few hours, we will know the truth," the advocate wrote.

Justice Kabir's short tenure as the CJI — from September 29, 2012 till July 18, 2013 — was peppered with controversies such as the way the Sahara-Sebi tussle was heard out of turn by the CJI-headed bench when it was pending before another two-judge bench.

Shankamarayan notes these aspects but does not forget to give credit to Justice Kabir where it was due. "To be fair to Kabir, his demeanour as a judge saw very little change when he came to occupy this high office. He continued to be a complex man — tardy with sittings, patient with the junior bar, arbitrary with listings, and for the large part, goodhumoured," he wrote in the article.