



Domicile-Based PG Medical Admissions Unconstitutional

For Prelims: [Supreme Court](#), Domicile quota, [Right to Equality](#), [National Eligibility cum Entrance Test](#), [Article 5](#), [Article 15](#) and [Article 16](#), [Article 19](#)

For Mains: Educational Policies, Equality and Reservation, Impact of Reservation Policies on National Integration

[Source: TH](#)

Why in News?

The [Supreme Court \(SC\) of India](#) in the case “*Tanvi Behl v. Shrey Goel and others, 2025*”, declared [domicile-based reservation for Post-Graduate \(PG\)](#) medical admissions unconstitutional.

- This decision came after appeals against a **Punjab and Haryana High Court ruling that had already scrapped such reservations.**

Note: The **domicile quota** refers to a **reservation system** where states allocate a portion of PG medical seats to candidates who are residents of that state.

- For PG medical seats, the Centre conducts counseling for 50% of the total intake, while the remaining 50% is filled by state counseling bodies. Within this 50%, states set aside a quota for domicile candidates.

What Did the SC Rule on Domicile-Based PG Admission Reservation?

- **Violation of Equality:** The Court emphasized that providing **residence-based or domicile-based reservations** for PG medical courses is constitutionally impermissible, as it creates **inequality among students** based on their state of residence.
 - This is a violation of the [Right to Equality \(Article 14 of the Indian Constitution\)](#).
 - As per the ruling, Indian citizens have the right to **reside and practice their profession anywhere in the country.**
 - Restricting PG admissions based on state domicile creates unnecessary barriers to professional mobility.
- **Merit-Based Admissions:** The Court ruled that PG medical admissions must be merit-based, determined by the [National Eligibility cum Entrance Test \(NEET\)](#), with **state quota seats**, aside from institution-based reservations, must adhere to merit-based selection.
- **No Impact on Past Admissions:** The ruling will not affect admissions that have already been granted based on domicile-based reservations.
- **Domicile vs. Residence:** The Court clarified that “**domicile**” refers to a person's legal home, and not the place of residence, as commonly understood.
 - Legally, there is only one domicile in India “ the **India has only one domicile, the “Domicile of India,” as defined under [Article 5](#), and all Indians share this single**

domicile, and the concept of state-specific domicile is not valid under the Indian legal system.

- **Historical Precedent:** The Bench also referred to the **1984 Dr. Pradeep Jain vs Union of India case**, where the SC allowed **residence-based reservation in MBBS courses**.
 - This was justified on the grounds that the **state invests in infrastructure and running costs for medical colleges**, making it reasonable to reserve some seats for local residents.
 - However, this reasoning does not apply to PG medical courses, where such reservations are deemed unconstitutional.

Note: [Article 15 and Article 16 of the Indian Constitution](#) allow for **reservations in educational institutions and public services** for backward classes or underprivileged groups.

- While these articles **do not explicitly mention domicile**, they permit reservations for socially and economically backward classes, which some states interpret as including local residents.

What are the Pros and Cons of Domicile-Based Reservation in Education?

- **Pros:**
 - **Local Opportunities:** Ensures that local students receive adequate representation and opportunities in educational institutions, especially in public sector institutions.
 - Acts as a form of affirmative action for disadvantaged communities.
 - **Economic Empowerment:** Helps improve the **social and economic status of local communities** by providing them with better access to higher education.
 - **Boost to Local Development:** Reservation laws can contribute to creating an educated workforce that benefits the local economy and supports regional development.
- **Cons:**
 - **Violation of Fundamental Rights:** It may infringe upon the **right to move freely** and seek education anywhere in the country, as guaranteed by [Article 19 of the Constitution](#).
 - **Impact on National Integration:** Domicile-based quotas can divide the nation and hinder the idea of a **unified educational and professional space**, where all citizens have equal opportunities.
 - **Economic Inefficiency:** These laws may harm the **private sector by restricting access to top talent**, hindering innovation, and discouraging investment.
 - **Addressing Root Causes:** These laws overlook critical issues like inadequate education infrastructure, insufficient guidance for exams like **NEET** and **Joint Entrance Examination**, and a mismatch between academic curricula and industry skill requirements.

Way Forward

- **Merit-Based Admissions:** Emphasizing merit-based admissions, especially at the **postgraduate level**, is crucial for promoting skills and qualifications over regional backgrounds to ensure fair competition.
 - A temporary support system for **backward communities is necessary**, but the **long-term goal should be their integration into the mainstream education system** without relying on regional quotas.
- **Enhance Quality of Education:** Invest in infrastructure, teacher training, and skill development in rural and backward areas to enhance local students' competitiveness.
- **Strengthen Support Systems:** **Social support**, including initiatives to address **poverty and migration**, must be targeted more effectively to ensure that vulnerable groups can access **higher education and employment opportunities nationwide**.

Legal Insights: [All Indians only have One Domicile](#)

<https://www.drishtijudiciary.com/en>

Drishti Mains Question:

Evaluate the constitutional and legal challenges associated with domicile-based reservation in education?

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