

To,  
Dr. Virendra Kumar,  
Honourable Minister for Social Justice and Empowerment,  
201 C-wing, Shastri Bhawan, New Delhi  
min-sje@nic.in

Date: 13 September 2024

**Sub: Non-inclusion of provisions of the Rights of Persons with Disabilities Act, 2016 and the Transgender Persons (Protection of Rights) Act, 2019 in the new National Medical Commission curriculum**

Respected Sir,

Being a custodian of the disability and transgender communities and holding the statutory post of the Chairperson of the Central Advisory Board on Disability under the Rights of Persons with Disabilities Act (RPDA) 2016 as well as the National Council for Transgender Persons under the Transgender Persons (Protection of Rights) Act (TPA) 2019, we write to you with great concern.

The National Medical Commission (NMC), the apex body responsible for regulating the medical education in the country, released its new Competency Based Medical Education (CBME) Curriculum on 31 August 2024, which was deemed outdated, and archaic contradicting Supreme Court judgements. This was immediately met with objections from the disability, transgender and queer communities. The controversy was covered in editorials by *The Hindu*, *The Indian Express*, and major news agencies, making headlines on prime-time shows as well as being labelled an International embarrassment by foreign media (see annexure 1). Amid widespread media outrage, the NMC was forced to withdraw the curriculum, ironically on, the Teachers day (5 Sept 2024).

A senior member of the undergraduate board of the NMC (UGMB), who was instrumental in framing the guidelines told *The Print*, “There was some oversight on our part, and we deleted certain parts (related to disability competencies) from the 2019 guidelines which we should not have deleted and repeated some clauses (related to LGBTQ) from the 2019 guidelines which we had removed in 2022 following judicial orders.”

Yesterday, the NMC re-released its revised curriculum but failed to honor the RPDA 2016 and TPA 2019, despite acknowledging their mistake in media.

In the 466-word document, there is no mention of key terms such as “dignity” or “transgender.” During the two-week foundation course, while 8 hours of protected time is dedicated to “sports,” there is no explicit mention of disability competencies which were mandatory in the 2019 curriculum (7 hours), but are now removed. Psychiatry continues to refer to “gender identity disorders” and Physiology describe sexual differentiation/intersex variations as “abnormalities.” Furthermore, Pediatrics fails to address gender incongruence, dysphoria, or non-heterosexual orientations not mentioning

SOGIESC. Subjects focus solely on the management of “disability” without acknowledging diversity, as outlined in the UNCRPD.

The inclusion of these mandatory disability competencies was highlighted as one of 17 lighthouse initiatives by UN India to showcase progress UN Sustainable Development Goals (SDG 10: Reduce inequality within and among countries) during the SDG mid-point review at UNGA78 in New York on 22nd September, 2023. This best practice from India was echoed by the National Council on Disability in the USA, which wrote to accrediting bodies (ACGME and Joint Commission) in 2021 regarding Disability Competency training for medical professionals. The World Health Organization’s most evidence based guidelines, the “ Global Report on Health Equity for Persons with Disabilities, 2022” also mandated disability competency training for all health worker training programs, developed in consultation with people with disabilities. This was further substantiated in our paper in The Lancet in 2023.

Section **39 (2)(f) of the RPDA** mandates the inclusion of the rights of persons with disabilities in the curriculum of universities, colleges, and schools. Section **47 (1)(b)** further requires the integration of disability as a component in all educational courses for university teachers, doctors, nurses, and paramedical personnel. This is a mandatory requirement, which the NMC has blatantly disregarded.

The disability competencies that we prepared, which were part of previous curriculum, describe disability in alignment with the UNCRPD. These competencies (figure below) include disability etiquettes, human rights, universal design, accessibility, disability culture, social inclusion and awareness of provisions of RPDA 2016.

five roles of an Indian Medical Graduate and with the competencies expected from an Indian Medical Graduate, and with the competencies defined by accreditation boards in the US and in Canada.<sup>8,12</sup> Each of these roles was addressed by the Forum Theatre (FT) was a large group session for the entire cohort. FT is participatory, pedagogical theatre where a short scene

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**Table 1**  
Disability Competencies included in the Indian Competency Based Medical Curriculum and their correlation with the roles expected from an Indian Medical Graduate, and with the competencies defined by accreditation boards in the US and in Canada.

Role of an IMG (ACGME Competencies) [CanMEDS role] <sup>8</sup>	NMC Disability Competencies <sup>12</sup>	Predetermined codes derived from the competencies
Clinician (Medical Knowledge; Patient Care) [Medical expert]	1. Describe disability as per the United Nations Convention on the Rights of Persons with Disabilities while demonstrating respect for the differences and capacities of persons with disabilities as part of human diversity and humanity. 2. Compare and contrast medical and social models of disability. 3. Demonstrate a non-discriminatory behaviour towards patients or caregivers with disabilities	Respect for Diversity Advocacy Non-discrimination
Professional (Professionalism) [Professional]	4. Build an understanding on the disability etiquettes while addressing people with disabilities	Dignity Autonomy
Communicator (Interpersonal and Communication Skills) [Communicator]	5. Demonstrate the use of verbal and non-verbal empathetic communication techniques while communicating with people with disabilities	Dignity Autonomy
Leader (Systems-based practise) [Leader, Collaborator]	6. Advocate social inclusion by raising awareness of the human rights of persons with disabilities.	Social inclusion Disability Rights/Human Rights
Lifelong learner (Practice-based learning) [Health advocate, Scholar]	7. Have an understanding of accessible healthcare setting for patients with disabilities, including universal design 8. Demonstrate awareness of the disabilities included in the Rights of Persons with Disabilities Act, 2016	Equity/Equal Opportunity Accessibility/Universal Design Disability Rights/Human Rights Advocacy

Abbreviations: IMG (Indian Medical Graduate); ACGME (Accreditation Council for Graduate Medical Education); CanMEDS (Canadian Medical Education Directives for Specialists); NMC (National Medical Commission).

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These were also the key points addressed by the HMSJE at the 6th Meeting of Central Advisory Board on Disability, held on 27.12.2023. The Chairperson of the NMC who is also a member of the Central Advisory Board on Disability, which serves as the policy thinktank on disability matters under Section 60 (2)(p), did not attend this meeting. During this meeting, you emphasised the

critical role that persons with disabilities play as stakeholders in accelerating progress towards Atmanirbhar Bharat 2047, which was also evident from the success of Paris Paralympics.

Moreover, the new curriculum is only focussed on typical male and female binary with no mention of the 'transgender' persons in 466-page document.

As per section **15 of the TPA 2019**:

*15. The appropriate Government shall take the following measures in relation to transgender persons, namely:—*

*(e) **review of medical curriculum** and research for doctors to address their specific health issues;*

*(d) bring out a Health Manual related to sex reassignment surgery in accordance with the World Profession Association for Transgender Health guidelines;*

We earlier wrote to Hon'ble Union Minister of Health on 3<sup>rd</sup> September (Annexure 2) followed by a reminder on 8<sup>th</sup> September without any response.

As the ministry entrusted to implement and monitor the RPDA 2016 and TPA 2019, we humbly request you to intervene and request the MoHFW and NMC (member of Central Advisory Board on Disability as well as the National Council for Transgender Persons under your Chairpersonship):

- 1) To re-introduce the mandatory hours on disability competencies as done for Sports in the Foundation course before the commencement of new MBBS session from 14 October 2024
- 2) To introduce provisions of RPDA 2016 and TPA 2019 in the longitudinal curriculum of ethics (AETCOM) with case studies from our cultural context on disability, transgender, intersex and queer persons with focus on intersectionality
- 3) To involve healthprofessionals and students from the disability, and queer community for such revisions in line with the Disability Rights mantra '*Nothing About Us, Without Us*'.
- 4) Sensitisation of NMC members and all of its four medical boards on RPDA 2016 and TPA 2019

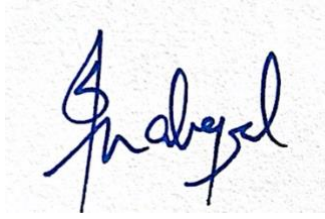
Eagerly awaiting a favourable and just action

Yours sincerely,

Copy to:

- 1) Shri Amit Yadav, Secretary (Department of Social Justice & Empowerment) [secywel@nic.in](mailto:secywel@nic.in)
- 2) Shri Rajesh Aggarwal, Secretary (Department of Empowerment of Persons with Disabilities) [secretaryda-msje@nic.in](mailto:secretaryda-msje@nic.in)
- 3) Chairperson, NMC via Secretary ([srinivas.b@nic.in](mailto:srinivas.b@nic.in))

Yours sincerely



1) Dr Satendra Singh

**Doctors with Disabilities: Agents of change (India)**

Co-chair, International Council for Disability Inclusion in Medical Education  
Disability Core Group, National Human Rights Commission



2) Air Cmde (Dr) Sanjay Sharma (Retd)

CEO & Managing Director **Association for Transgender Health in India (ATHI)**

Board Member *World Professional Association for Transgender Health (WPATH)*

WPATH GEI SOC8 Certified Faculty Member

*Member WHO Guideline Development Group for Transgender & Gender-diverse people*

Member "Sweekar: The Rainbow Parents"



Association for  
Transgender Health  
in India