

## Letter to National Medical Commission demanding Public Apology and Accountability

To,

Hon'ble Minister of Health and Family Welfare

Ministry of Health & Family Welfare,

Room No. 402-D, Nirman Bhawan,

New Delhi - 110011

### **Subject: An Expression of Deep Concern**

Date: 09-09-2024

Respected Sir,

The recent revisions to the Competency-Based Medical Education (CBME-2024) dated 31.08.24 curriculum by the National Medical Commission (NMC) represent a grievous and unacceptable discrimination in our medical education system. The decision to reclassify sodomy and lesbianism into the category of “**unnatural sexual offences**” while **transvestism (cross-dressing) as a sexual perversion; fixation on virginity as a marker of purity; exclusion of the mandatory seven hours of disability competencies from the foundation course** constitutes a flagrant violation of human rights and legislative standards. This shows the extent of ignorance that prevails within specialised medical bodies and points to the persistence of social prejudices coupled with ignorance. Reintroducing such harmful and outdated views into the medical curriculum will directly cause harm to the marginalized citizens of this nation. It jeopardises the safety and mental well-being of countless queer and trans individuals nationwide, fostering further discrimination, harassment, and violence. It is essential that medical education fosters an inclusive, non-judgmental approach rooted in scientific accuracy and human respect and dignity.

Even if this change is withdrawn through a subsequent letter on 05.09.24 we still want to share that this entire incident has caused a lot of emotional turmoil in the minds of queer and trans people and persons with disabilities. Specifically queer and trans and disability rights activists are perplexed, confused and are in demand for an apology from the National Medical Commission (NMC). How can such a change be initiated in the first place that utterly violates the rights of marginalised citizens in the country?

Our community is profoundly aggrieved and outraged by this grossly inappropriate and discriminatory content that perpetuates systemic oppression. This outright ableist, queerphobic, transphobic and archaic CBME 2024 revised curriculum, egregiously contravenes the following pivotal legislations and judgements of India: the Rights of Persons

with Disabilities Act (RPDA) 2016; The Transgender Persons (Protection of Rights) Act (TPA) 2019; Mental Healthcare Act, 2017; NALSA vs Union of India 2014; Justice K.S.Puttaswamy(Retd) vs Union Of India, 2017; Navtej Singh Johar vs Union of India, 2018, Article 19(1)(a) of the Indian Constitution (violates freedom of expression). The queer and trans community, disability rights activists and the allies fought a long legal battle to initiate several legal changes mentioned above.

We want to bring to your kind attention that we are deeply disturbed by the continued marginalisation enforced through institutional frameworks that perpetuate systemic oppression against us. As concerned citizens and staunch advocates for gender-sexually marginalised (GSM) groups and persons with disabilities, we are seething with indignation over this egregious, unscientific, and unconstitutional development that flagrantly violates the laws of our land and demand for an apology and ask the NMC and the Union Health Minister to take accountability of this situation. To see such stigmatic notions in printed form by the government bodies creates avenues for discrimination and violence to flourish. It is evident here the internal processes lack adequate vetting and scrutiny for how else can one understand something that flies in the face of prevailing law, constitutional standards and human rights to be so casually issued and announced in the public domain. We hereby demand for commitments to undertake internal training.

We also demand for the rightful implementation of the Navtej Singh Johar vs Union of India, 2018 judgement and urge the state to take pragmatic actions to alleviate the condition of queer and trans individuals in the country.

The recent decision by the National Medical Commission (NMC) to retract their newly introduced changes within just five days of their announcement starkly underscores the inherent unconstitutionality and illegality of those changes and thereby acknowledging the deep flaws and illegitimacy in their amendment. This incident reveals a broader systemic issue where institutional policies often reflect a lack of genuine consideration for equitable and inclusive practices. This action is a powerful reminder of the need for rigorous scrutiny and accountability in policy-making, and those representing, especially when such policies intersect with issues of gender and sexuality. It also highlights the necessity for ongoing advocacy and vigilance to ensure that regulatory bodies uphold principles of justice, equality and equity. This entire episode once again confirms how it is imperative for the government to consult with the concerned individuals/groups/Organisations engaged with these issues.

Let us be mindful of our history that homosexuality was depathologized back in 1973 by the American Psychiatric Association and World Health Organisation (WHO) removed homosexuality from the International Classification of Diseases (ICD) in 1990. Ending the letter by reinstating our demand for accountability by the NMC.

**Endorsed by members of Sappho for Equality Collective,  
other LGBTQ groups, and Five thousand others.**