

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

W.P.(Crl.) No. 7284 of 2021

Ms. S Sushma  
D/o. Mr. V. Senthil Kumar  
G-11, Gaiety Palace  
No. 1, Blackers Road  
Chennai 600002 and Anr.

.....Petitioners

Vs

Director General of Police  
Tamil Nadu Police Department  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai 600004 & Ors.

.....Respondents

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NATIONAL MEDICAL COMMISSION-12<sup>TH</sup> RESPONDENT**

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Certified that the above are true copies of their respective Originals.

Dated at Chennai, this the 17<sup>th</sup> day of February, 2022



Standing Counsel for the 12<sup>th</sup> Respondent

दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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**Status Report to be filed before the Hon'ble High Court of Madras**  
**in W.P.(C) No. 7284 of 2021 filed by Ms. S.Sushma & Anr.Vs.**  
**Commissioner of Police**

Based on the recommendations of the aforementioned Expert Committee in meetings dated 29.09.2021, 04.10.2021 and 05.10.2021, an Advisory dated 13.10.2021 was issued by the National Medical Commission, requesting all the Medical universities/Colleges/ Institutions that while teaching UG & PG students wherever the issue of gender or similar kind arise, the mention of Clinical history or complaints or signs/symptoms, examination findings or history about nomenclature shall not be taught in such a way that it becomes/perceived in any way derogatory/discriminatory/insulting to LGBTQIA+ community. Further all the authors of Medical Text Books were instructed to amend the information about virginity, LGBTQIA+ Community and homosexuals etc. in their textbooks according to the available scientific literature, guidelines issued by the Government and directions passed by the Government and directions passed by the Hon'ble Courts and Medical universities/colleges/Institutions were also requested not to approve the books as recommended books by the University if the books have unscientific, derogatory and discriminatory information about virginity, LGBTQIA+ Community and homosexuals. A status report to the above effect enclosing the Advisory dated 13.10.2021 issued by the National Medical Commission had been filed on 15.11.2021 before the Hon'ble Court and the same was considered and taken on record by the Hon'ble Court in the hearing dated 06.12.2021. The Hon'ble High Court of Madras was pleased to direct as under :

*"At this point, the learned counsel appearing on behalf of the Petitioners submitted that the existing competencies of CBME-Curriculum carries offensive and unscientific terms about the LGBTQIA+ community and submitted that if the NMC amends the said competencies listed in their handbook, the authors of medical text books will automatically be obliged to revise their publications accordingly. The learned counsel further submitted a chart highlighting*



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*the objectionable terms employed in the competencies of CBME-Curriculum with specific reference to aspects on LGBTQIA+ and virginity, along with suggestions for modification of the said competencies. This chart, the counsel brought to the notice of this Court, was prepared upon their consultation with a number of doctors and professionals in the field of medicine. It will be useful to extract the chart hereunder, and the NMC is directed to give serious consideration to the suggestions made therein and their status report to be filed on the next hearing shall include their justification, if any, on the same.....”*

2. That in pursuance to the order dated 06.12.2021 and another order dated 23.12.2021 passed by the Hon'ble High Court of Madras in the matter, UGMEB formed an Expert Committee under the Chairmanship of Dr. Vijayendra Kumar, Member(UGMEB) vide office order dated 03.01.2022 to address the issues/suggestions raised by the Petitioner mentioned at Para 11 of the Court order dated 06.12.2021:

SL. No.	Issue/Existing Competency	Justification	Modified Competency Could be
1.	<b>FM3.16:</b> Describe And discuss adultery and unnatural sexual offences-sodomy, incest, lesbianism, buccal coitus, bestiality, indecent assault and preparation of report, framing the opinion and preservation and dispatch of trace evidences in such Cases.	Legally offences are not described as natural and unnatural. And Supreme court has said that differentiating it in this way is absurd. Homosexuality and Adultery has been Decriminalized in India.	<b>FM3.16:</b> Describe History of decriminalization of homosexuality and adultery. Describe Sodomy (as per new amendments), bestiality, indecent assault and preparation of report, framing

दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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			he opinionand preservation and dispatch of trace evidences in such Cases.
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दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाइट /Website : [www.nmc.org](http://www.nmc.org)

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2.	<b>FM3.13:</b> Describe different types of sexual offences. Describe various Sections of IPC Regarding rape Including definition Of rape (Section 375 IPC), Punishment for Rape (Section 376 IPC) and recent amendments notified till date		<b>FM3.13:</b> Describe Various sections of IPC regarding rape Related to medical profession. Describe Medico-legal Examination of rape Victim and accused Of rape with special Reference to Governments Recent guidelines On it. Describe the relevant provisions of POCSO Act related to medical examination, emergency medical care and police Information.
3.	<b>FM3.17:</b> Describe and discuss the sexual perversions and fetishes	Steps need to be taken to remove Derogatory remarks	<b>FM3.17:</b> Describe paraphilias and different types of it as per

दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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	<p>m, transvestism, voyeurism, sadism, necrophagia, masochism, exhibitionism, frotteurism, Necrophilia.</p> <p>Derogatory remarks against LGBTQIA+ community, homosexuals are used in textbooks.</p>	<p>against LGBTQIA+ community, homosexuals from textbooks</p>	<p>recent Diagnostic and Statistical Manual of Mental Disorders. Describe medico-legal implications of paraphilias by referring scientific literature and legal justification (if any).</p>
4.	<p>Psychiatry competency PS13.1-13.7: Psychosexual and Gender identity disorders" homosexuality is taught as a Sexual Disorder and transgenderism under Gender Identity Disorder.</p>		<p>Homosexuality Need not appear as a disorder and can be removed. There can be a paragraph on the history of how homosexuality was removed from psychiatric classification In DSM5, the term Gender Dysphoria is used and this can be described based on DSM5 criteria.</p>



दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाइट /Website : [www.nmc.org](http://www.nmc.org)

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5.	<b>FM3.18:</b> Describe anatomy of male and female genitalia, hymen and its types. Discuss the medico-legal importance of <b>hymen</b> . Define <b>virginity</b> , <b>defloration</b> , legitimacy and its medico-legal importance.	Medico-legal and legal significance it is taught that it has medico-legal significance. By relying on the information in textbooks courts also presume that there is scientific basis to know whether the girl is virgin or not. Hence, court has also directed to do virginity test on girls and women. There is a need to teach our doctor's on 1. how to respond to court's orders about a virginity test and 2. how to appraise court about the unscientific basis of virginity test and 3. how to explain to the court that it is beyond medical science to know about the virginity status of a girl/woman	<b>FM3.18:</b> Describe legitimacy and its medico-legal importance. Describe how virginity and virginity test including finger test on female is unscientific, Inhuman and gender discriminatory and how to appraise the courts about its unscientific basis if court orders it.	3. I n thi s reg ar d, an Ex per t Co m mi tte e me t on 13. 01. 20 22 an d 19. 01. 20 22 wh ere in the
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aforementioned issues raised by the petitioner in writ petition were discussed in detail. In the aforesaid meetings, the expert committee





दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाइट /Website : [www.nmc.org](http://www.nmc.org)

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constituted by NMC suggested modifications in the competencies (CBME) of Forensic Medicine subject no. FM 3.16, FM 3.13, FM 3.17, FM 3.18 and competencies of psychiatric subject no. PS 13.1 to 13.7) as mentioned in the table below. That while studying the UG competency based curriculum, the committee found that there are other competencies in medical curriculum related to LGBTQIA+ community and other sexual issues which require modifications hence the same were also discussed in the meeting:

SL. No.	Existing competency	Modified Competency
<b>Forensic Medicine Competency</b>		
1.	<b>FM3.16</b> Describe and discuss adultery and unnatural sexual offences- sodomy, incest, lesbianism, buccal coitus, bestiality, indecent assault and preparation of report, framing the opinion and preservation and despatch of trace evidences in such cases.	<b>FM 3.16:</b> Describe and discuss informed consent in sexual intercourse. Describe and discuss histories of gender and sexuality-based (sexual orientation) identities and rights in India. Describe history of decriminalization of 'adultery' and consensual adult homosexual sexual behavior. Describe sexual offences with its medicolegal significance- <ul style="list-style-type: none"><li>- forced/non-consensual penetrative anal sex</li><li>- forced/non-consensual oral sex</li><li>- sexual acts with animals/ bestiality/ zoophilia</li><li>- forced/non-consensual insertion of fingers or objects</li></ul>



दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाइट /Website : [www.nmc.org](http://www.nmc.org)

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SL. No.	Existing competency	Modified Competency
		- forced/non-consensual touching or groping or disrobing ('indecent assault').
2.	<b>FM3.13:</b> Describe different types of sexual offences. Describe various sections of IPC regarding rape including definition of rape (Section 375 IPC), Punishment for Rape (Section 376 IPC) and recent amendments notified till date	<b>FM3.13:</b> Describe various sections of IPC & Cr. PC related to definition of rape and sexual assault, medical examination of rape victim and accused of rape, police information by the doctors and medical care with recent amendments notified till date (i.e., Section 375 IPC, 166 B IPC, 357 C & 164 A, 53 A of CrPC). Describe the relevant provisions of POCSO act related to medical examination, emergency medical care and police information.
3.	<b>FM3.17:</b> Describe and discuss the sexual perversions fetishism, transvestism, voyeurism, sadism, necrophagia, masochism, exhibitionism, frotteurism, Necrophilia.	<b>FM3.17.</b> Describe the difference between Paraphilia and Paraphilic disorder. Describe paraphilic disorder as per as per the latest guidelines of DSM & ICD and describe medico-legal implications of paraphilic

दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाइट /Website : [www.nmc.org](http://www.nmc.org)

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SL. No.	Existing competency	Modified Competency
		disorder by referring scientific literature and legal justification (if any). Describe and discuss the various paraphilias in the context of informed consent during any sexual interaction.
4.	<b>FM3.18</b> Describe anatomy of male and female genitalia, hymen and its types. Discuss the medico-legal importance of hymen. Define virginity, defloration, legitimacy and its medicolegal importance.	<b>FM3.18</b> Describe legitimacy and its medicolegal importance. Describe and discuss how 'signs' of virginity (so called 'virginity test', including finger tests on female genitalia) are unscientific, inhuman and discriminatory. Describe and discuss how to appraise the courts about unscientific basis of these tests if court orders it.
5.	<b>FM14.14:</b> To examine & prepare report of an alleged accused in rape/unnatural sexual offence in a simulated/supervised environment	<b>FM14.14:</b> To examine and prepare report on an alleged accused person in cases of various sexual offences in a simulated/ supervised environment. Demonstrate an understanding of framing the opinion, preservation and despatch of trace evidences in such cases. Describe and discuss personal opinions and their impact on





दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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SL. No.	Existing competency	Modified Competency
		such examinations and the need for objectivity/ neutrality to avoid prejudice influencing the case.
6.	<b>FM14.15</b> To examine & prepare medico-legal report of a victim of sexual Offence/unnatural sexual offence in a simulated/ supervised environment.	<b>FM 14.15</b> To examine and prepare medico-legal report on an alleged victim of various sexual offences in a simulated/ supervised environment. (Guidelines and Protocols of Medico Legal Care for Survivors Victims of Sexual Violence. Ministry of Health & Family Welfare, GOI- with latest modifications if any). Demonstrate an understanding of framing the opinion and preservation and despatch of trace evidences in such cases. Describe and discuss sympathetic/ empathetic examination and interview of victims of sexual assault, including presence of trusted adult figure in cases of minor victims.
<b>Psychiatry Competency:</b>		
7.	<b>Topic Name:</b> Psychosexual and gender identity disorders (Vol II Page 210)	<b>Topic Name:</b> Human sexuality; Gender incongruence or Gender dysphoria; Gender non-

दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)



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SL. No.	Existing competency	Modified Competency
		conformity; Differences of sex development (DSD) or Intersex; Paraphilia and Paraphilic disorders; Sexual dysfunctions.
8.	<p><b>PS 13.1:</b> Enumerate and describe the magnitude and etiology of psychosexual and gender identity disorders.</p> <p><b>PS13.2</b> Enumerate, elicit, describe and document clinical features in patients with magnitude and etiology of psychosexual and gender identity disorders.</p> <p><b>PS13.3</b> Enumerate and describe the indications and interpret laboratory and other tests used in psychosexual and gender identity disorders</p> <p><b>PS 13.4</b> Describe the treatment of psychosexual and gender identity</p>	<p><b>PS13.1:</b> Demonstrate an understanding of difference between sex and gender/ biological and social construction of personhood; Demonstrate an understanding of gender identity; Demonstrate an understanding of transgender, gender non-conformity, and other gender diverse identities. Demonstrate an understanding of sexual/sexuality identity, sexual orientation, sexual desire; Demonstrate an understanding of the wide variety of sexual orientations and desires; Describe and demonstrate an understanding of the differences in sex development in individuals who don't fit into the biological binary of male or female. Demonstrate an understanding</p>

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SL. No.	Existing competency	Modified Competency
	<p>disorders including behavioral, psychosocial and pharmacologic therapy.</p> <p><b>PS13.5</b> Demonstrate family education in a patient with psychosexual and gender identity disorders in simulated environment.</p> <p><b>PS13.6</b> Enumerate and describe the pharmacologic basis and side effects of drugs used in psychosexual and gender identity disorders.</p> <p><b>PS13.7</b> Enumerate the appropriate conditions for specialist referral</p>	<p>of common myths and misconceptions about LGBTQIA + identities like Hijra, Intersex. Demonstrate an attitude of openness and respect for all genders and sexualities. Demonstrate an understanding of common psychosocial stressors faced by members of LGBTQIA+ communities in India.</p> <p>Demonstrate Knowledge about basic tenets of LGBTQIA+ affirmative counselling.</p> <p><b>PS13.2:</b> Demonstrate the ability to assess the gender identity of an individual and distress caused (if any) due to the individual's own gender identity in a simulated environment.</p> <p><b>PS13.3:</b> Describe and understand how to discuss sexual orientation, sexuality identity, gender identity, as well as intersex identity (differences in sex development) as part of routine history taking.</p> <p><b>PS13.4:</b></p>



दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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SL. No.	Existing competency	Modified Competency
		<p>Demonstrate in simulated environment the ability to educate and counsel individuals or family members about intersex variations, sexual orientations, sexuality identities, gender incongruence, gender dysphoria, and gender identities. Demonstrate knowledge that conversion therapy practices for sexual orientation or gender identity or on people with intersex variations are unethical.</p> <p><b>PS13.5:</b>  Describe differences between Gender Incongruence and Gender Dysphoria.  Describe and demonstrate an understanding of the biological and gender binaries, rejection of gender binary, gender non-conforming, gender non-binary, androgynous, and other identities.</p> <p><b>PS13.6:</b>  Describe and discuss Gender Dysphoria.  Enumerate criteria to diagnose Gender Dysphoria according to the latest psychiatric</p>



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ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),  
वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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SL. No.	Existing competency	Modified Competency
		<p>classifications (refer to WPATH guidelines) and when to refer an individual to a mental health professional.</p> <p><b>PS13.7</b></p> <p>Demonstrate in the simulated environment the ability to educate an individual and family members that Gender Incongruence by itself is not a disorder and does not require clinical intervention.</p> <p>Discuss situations where there is a role for mental health support in Gender Dysphoria i.e., discussing with family, deciding on hormonal treatments or Sex Reassignment Surgery (Gender Affirming Care or Gender Affirmative Therapies or Gender Confirmation Surgery).</p> <p>Demonstrate in simulated environment the ability to educate and counsel individual and family members about various types of sexual orientation being normal.</p> <p><b>PS13.8</b></p> <p>Demonstrate in simulated</p>

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ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)



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		<p>environment the ability to educate an individual and family members that the gender of an individual can be different than the sex assigned at birth and also educate about the difference between sex and gender of an individual.</p> <p>Demonstrate the ability to assess gender incongruence in an individual with intersex variations due to their gender identity.</p> <p>Demonstrate knowledge and ability to educate family members that unnecessary medical interventions on individuals with intersex variations are unethical.</p> <p><b>PS13.9:</b></p> <p>Describe the difference between Paraphilia and Paraphilic disorder.</p> <p>Describe different paraphilias.</p> <p>Describe and discuss the importance of informed consent during any sexual interaction.</p> <p>Describe and discuss impact of personal opinions on working with people who express</p>



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दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

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		<p>paraphilias.</p> <p><b>PS13.10:</b> Describe the prevalence &amp; etiology of paraphilic disorders.</p> <p><b>PS13.11:</b> Enumerate criteria for the diagnosis (diagnostic criteria) of paraphilic disorders according to the latest psychiatric classification.</p> <p><b>PS13.12:</b> Demonstrate in the simulated environment the ability to educate the individual/family members that paraphilia in itself is not a disease and may not require clinical intervention.</p> <p><b>PS13.13:</b> Enumerate the reasons for specialist referrals for any of the cases.</p> <p><b>PS13.14:</b> Describe the stages and differences in the human sexual cycle.</p> <p><b>PS13.15:</b> Enumerate the diagnostic criteria of various sexual dysfunctions corresponding to the stages of the human sexual</p>

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SL. No.	Existing competency	Modified Competency
		<p>cycle.</p> <p><b>PS13.16:</b>  Describe the management (till the level of MBBS graduate domain) and reasons for specialist referral in cases of sexual dysfunction.</p>

4. That in addition to the discussion on Forensic Medicine Competency and Psychiatry Competency in the meeting, several other suggestions were received from the expert committee members regarding similar and incidental issues and the same were discussed in the meeting. They are categorically mentioned hereunder:

- a. Terminology "Gender identity disorder" used in PG competency-based curriculum;
- b. Regarding Conversion therapy;
- c. Regarding Conversion therapy & medical curriculum;

5. That regarding term "*Gender Identity Disorder*" used in PG Competency-based curriculum, it has been decided that the said terminology will be replaced by term "*Gender dysphoria*".

6. That in pursuance to the direction by the Hon'ble Court for prohibiting any attempts to medically "cure" or change the sexual orientation of LGBTIQ+ people to heterosexual or the gender identity of transgender people to cisgender and to take action against the concerned professional involving themselves in any form or method of conversion "therapy", including withdrawal of license to practice, the committee is of the view that all Interventions to "change" sexual orientation of a person (commonly referred as Conversion therapy)– Should be banned. In this regard, Committee further submitted that



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in order to execute the aforesaid action, the Professional Conduct, Etiquette and Ethics Regulations of NMC needs to be accordingly amended and in furtherance of that instructions/ notification needs to be issued.

7. Further it was suggested that any attempt/ interventions (commonly referred to as Conversion therapy) to “change” sexual orientation of a person to heterosexual shall constitute PROFESSIONAL MISCONDUCT on the part of the medical professionals under chapter 7 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002. Hence, necessary official notification in this regard needs to be issued.

8. In PG Psychiatry Curriculum there is need to have module on empathic understanding of psychological issues among LGBTQIA+ groups and an emphasis that any form of conversion therapy is unethical.

9. In the view of the order dated 06.12.2021 and subsequent order dated 23.12.2021 passed by the Hon'ble High Court, the matter alongwith the minutes of the Expert Committee was considered by UGMEB, NMC and it has been opined that the suggestions given by the petitioners as mentioned at Para-11 of the order dated 06.12.2021, has been considered in the meetings of the Expert Committee held in the month of January 2022. Copies of the minutes of the meetings dated 13.01.2022 and 19.01.2022 are attached herewith as **Annexure-I**. The **suggestions/observations** made by Expert Committee pertaining to changes needed in competencies of CBME curriculum are also enclosed herewith as **Annexure-II**.

10. That the abovementioned suggestions made by he Expert Committee have already been communicated to the National Medical Commission (NMC) and to all the concerned autonomous boards under NMC i.e. Under Graduate Medical Education Board (UGMEB), Post Graduate Medical Education Board (PGMEB), Ethics and Medical Education Board (EMRB) for taking appropriate action. The



दूरभाष/Phone : 011 25367033/25367035/25367036

ई-मेल /E-mail : [ugmb.nmc@gmail.com](mailto:ugmb.nmc@gmail.com),

वेबसाईट /Website : [www.nmc.org](http://www.nmc.org)

पॉकेट -14, सेक्टर-8, द्वारका, फेस-1, नई दिल्ली-

110077

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letter circulated to NMC and all the above-mentioned autonomous boards are enclosed herewith as **Annexure-III**.

11. This has the approval of the President, UGMEB, National Medical Commission.

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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

पॉकेट -14, सेक्टर-8, द्वारका, फेस-1,  
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### Expert Committee Meeting held at the National Medical Commission

Date: 13.01.2022 Time:

2:45 Pm IST.

In pursuance to the orders dated 31.08.2021, 06.12.2021 and 23.12.2021 passed by Hon'ble High Court of Madras in W.P. No 7284 of 2021 titled Ms. Sushma & Anr. Vs The Commissioner of Police & Ors, an expert committee consisting of the following members was formed to address issues related to LGBTQI+A raised by the petitioners. Accordingly, said expert committee meeting was held on 13.01.2022 to discuss the following:-

#### Agenda of the meeting:-

1. Virginty test in the Forensic Medicine Curriculum of MBBS.
2. Modifications related to LGBTQIA+ Community in MBBS.

The meeting was attended by the following participants:-

- |              |  |
|--------------|--|
| 1. Chairman  | Dr. Vijayendra Kumar, Member, UGMEB, NMC.                                    |
| 2. Member    | Dr. Prabha Chandra, Senior Professor, Psychiatry, NIMHANS.                   |
| 3. Member    | Dr. Surekha Kishore, Executive Director AIIMS, Gorakhpur & Member MAC & NMC. |
| 4. Member    | Dr. Indrajit Khandekar, Professor, Forensic Medicine, MGIMS, Sevagram.       |
| 5. Secretary | Dr. Surabhi Sharma (PT), Senior Consultant, Academic cell, NMC.              |
| 6. Invitee   | Ms. Preeti Nanda, Legal Consultant, NMC.                                     |
| 7. Observer  | Dr. Aruna V. Vanikar President, UGMEB, NMC.                                  |

In the meeting, following discussions were held:-

1. The suggestions (Copy Enclosed) as mentioned in para 11 of the order dated 06.12.2021 passed by Hon'ble High Court of Madras in W.P. No. 7284 of 2021 titled Ms. S. Sushma & Anr. Vs. The Commissioner of Police & Ors. was discussed by the members of the Committee.
2. Dr. Khandekar suggested that we make changes in the verses of competencies. A detailed discussion was held on the issue of "Conversion Therapy". It was decided that all experts shall go through the Competency curriculum to see what is mentioned about the same.
3. The members discussed that since education regarding LGBTQI+A is part of PG education, we may invite members of PGMEB also. Secondly "Conversion Therapy" falls mainly under the domain of



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ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाईट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase - 1,  
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- Psychiatry. Keeping in view all these points, it was decided to invite President, PGMEB, Member PGMEB and President, MARB, Dr. Gangadhar. He was also the Director of NIMHANS, Bengaluru.
4. Dr. Khandekar would share the modified competencies with the committee members by 14.01.22. These modifications would be shared with the National Medical Commission by Dr. Vijayendra Kumar, Chairman of the Committee. NMC would then issue notifications accordingly.

The minutes were unanimously approved by all.

Prepared by

Dr. Surabhi Sharma (PT)

Secretary

Dr. Indrajit Khandekar

Member

Dr. Vijayendra Kumar

Chairman

Dr. Prabha Chandra

Member

Dr. Aruna V. Vanikar

Observer

Dr. Surekha Kishore

Member

Expert Committee Meeting held at the National Medical Commission

दूरभाष/Phone : 011  
5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाईट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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नई दिल्ली-110077  
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New Delhi-110077

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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
<b>Forensic Medicine Competency</b>			
1.	<b>FM3.16</b> Describe and discuss adultery and unnatural sexual offences- sodomy, incest, lesbianism, buccal coitus, bestiality, indecent assault and preparation of report, framing the opinion and preservation and despatch of trace evidences in such cases.	<b>FM3.16:</b> Describe history of decriminalization of homosexuality and adultery. Describe sodomy (as per new amendments), bestiality, indecent assault.	<b>FM 3.16:</b> Describe and discuss informed consent in sexual intercourse. Describe and discuss histories of gender and sexuality-based identities and rights in India. Describe history of decriminalisation of 'adultery' and consensual adult homosexual sexual behaviour. Describe sexual offences— - forced/non-consensual penetrative anal sex - forced/non-consensual oral sex - sexual acts with animals/bestiality/zoophilia - forced/non-consensual insertion of fingers or objects - forced/non-consensual touching or groping or disrobing ('indecent assault'). Preparation of report on sexual offences and/or assault. Framing of opinion. Preservation and despatch of trace evidence.
2.	<b>FM3.13:</b> Describe different types of sexual offences. Describe various sections of IPC regarding rape including definition of rape (Section 375 IPC), Punishment for Rape (Section 376 IPC) and recent amendments notified till date	<b>FM3.13:</b> Describe various sections of IPC & CrPC related to definition of rape and sexual assault (MOHFW guidelines ref to be added medical examination of rape victim and accused of rape, police information by the doctors and medical care with recent amendments notified till date (i.e., Section 375 IPC, 166 B IPC, 357 C & 164 A, 53 A of CrPC). Describe the relevant provisions of POCSO act related to medical examination, emergency medical care and police	<b>FM3.13:</b> Describe various sections of IPC & CrPC related to definition of rape and sexual assault (MOHFW guidelines ref to be added, medical examination of rape victim and accused of rape, police information by the doctors and medical care with recent amendments notified till date (i.e., Section 375 IPC, 166 B IPC, 357 C & 164 A, 53 A of CrPC). Describe the relevant provisions of POCSO act related to medical examination, emergency medical care and police information. Describe and discuss sympathetic/ empathetic examination and interview of victims of sexual assault, including presence of trusted adult figure in cases of minor victims.

दूरभाष/Phone : 011  
5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase - 1,  
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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
		information.	
3.	<b>FM3.17:</b> Describe and discuss the sexual perversions fetishism, transvestism, voyeurism, sadism, necrophagia, masochism, exhibitionism, frotteurism, Necrophilia.	<b>FM3.17.</b> Describe paraphilic disorder as per as per latest guidelines of DSM & ICD and describe medicolegal implications of paraphilic disorder by referring scientific literature and legal justification (if any).	<b>FM3.17.</b> Describe paraphilic disorder as per as per latest guidelines of DSM & ICD and describe medico-legal implications of paraphilic disorder by referring scientific literature and legal justification (if any). Describe and discuss the various paraphilias in the context of informed consent.
4.	<b>FM3.18</b> Describe anatomy of male and female genitalia, hymen and its types. Discuss the medico-legal importance of hymen. Define virginity, defloration, legitimacy and its medicolegal importance.	<b>FM3.18</b> Describe legitimacy and its medicolegal importance. Describe how signs of virginity (so called virginity test including finger test on female) are unscientific, inhuman and gender discriminatory and how to appraise the courts about its unscientific basis if court orders it.	<b>FM3.18</b> Describe and discuss different sex organs/genitals and medico-legal importance given to one specific sex organ and not others. Describe and discuss how 'signs' of virginity (so called 'virginity test', including finger tests on female genitalia) are unscientific, inhuman and discriminatory. Describe and discuss how to appraise the courts about unscientific basis of these tests if court orders it.
5.	<b>FM14.14:</b> To examine & prepare report of an alleged accused in rape/unnatural sexual offence in a simulated/ supervised environment	<b>FM14.14:</b> To examine & prepare report, framing the opinion, preservation and despatch of trace evidences in cases of alleged accused of various sexual offences (Rape, Sodomy etc) in a simulated/ supervised environment.	<b>FM14.14:</b> To examine and prepare report on an alleged accused person in cases of various sexual offences (non-consensual penile-vaginal, or penile-anal, or penile-oral or other) in a simulated/ supervised environment. Framing the opinion, preservation and despatch of trace evidences in such cases. Describe and discuss personal opinions and their impact on such examinations and the need for objectivity/neutrality to avoid prejudice influencing the case.



दूरभाष/Phone : 011  
5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase - 1,  
New Delhi-110077

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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
6.	FM14.15 To examine & prepare medico-legal report of a victim of sexual offence/unnatural sexual offence in a simulated/ supervised environment.	FM 14.15 To examine & prepare medico-legal report, framing the opinion and preservation and despatch of trace evidences in cases of alleged victims of sexual Offences (Rape, Sodomy etc) in a simulated/ supervised environment.	FM 14.15 To examine and prepare medico-legal report on an alleged victim of various sexual offences (non-consensual penile-vaginal, or penile-anal, or penile-oral or other) in a simulated/ supervised environment. Framing the opinion and preservation and despatch of trace evidences in such cases. Describe and discuss sympathetic/ empathetic examination and interview of victims of sexual assault, including presence of trusted adult figure in cases of minor victims.
<b>Psychiatry Competency:</b>			
7.	<b>Topic Name:</b> Psychosexual and gender identity disorders (Vol II Page 210)	<b>Topic Name:</b> Human sexuality; Gender incongruence/ gender nonconformity & Gender dysphoria; Paraphilia, Paraphilic disorders; Sexual dysfunction.	<b>Topic Name:</b> Human sexuality; Gender incongruence or Gender dysphoria; Gender non-conformity; Differences of sex development (DSD) or Intersex; Paraphilia and Paraphilic disorders; Sexual dysfunctions.
8.	<b>PS 13.1:</b> Enumerate and describe the magnitude and etiology of psychosexual and gender identity disorders.  <b>PS13.2</b> Enumerate, elicit, describe and document clinical features in patients with magnitude and etiology of psychosexual and gender identity	<b>PS13.1:</b> Understand the difference between sex and gender, Define sexual identity, gender identity and sexual orientation.  <b>PS13.2:</b> Demonstrate the ability to assess the gender identity of an individual and distress caused (if any) due to the individual's own gender identity in simulated environment.  <b>PS13.3:</b> Describe how to discuss sexual orientation and gender as part of routine	<b>PS13.1:</b> Understand difference between sex and gender/ biological and social construction of personhood; Understand gender identity; Understand transgender, gender non-conformity, and other gender diverse identities. Understand sexual/sexuality identity, sexual orientation, sexual desire; Understand the wide variety of sexual orientations and desires; Describe and understand the differences in sex development in individuals who don't fit into the biological binary of male or female. Understand common myths and misconceptions about LGBTQI identities like Hijra, Intersex Demonstrate an attitude of openness and respect for all genders and sexualities

दूरभाष/Phone : 011  
5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाईट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase – 1,  
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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
	<p>disorders.</p> <p>PS13.3 Enumerate and describe the indications and interpret laboratory and other tests used in psychosexual and gender identity disorders</p> <p>PS 13.4 Describe the treatment of psychosexual and gender identity disorders including behavioural, psychosocial and pharmacologic therapy.</p> <p>PS13.5 Demonstrate family education in a patient with psychosexual and gender identity disorders in a simulated environment.</p> <p>PS13.6 Enumerate and describe the pharmacologic basis and side effects of drugs used in psychosexual and</p>	<p>history taking</p> <p>PS13.4: Demonstrate in simulated environment the ability to educate and counsel individual and family members about various types of sexual orientation being normal. Demonstrate knowledge that any form of conversion therapy for sexual orientation is unethical</p> <p>PS13.5: Describe the difference between Gender Incongruence and Gender Dysphoria.</p> <p>PS13.6: Describe the prevalence and etiology of Gender Dysphoria. Enumerate the criteria to diagnose Gender Dysphoria according to the latest psychiatric classifications.</p> <p>PS13.7 Demonstrate in the simulated environment the ability to educate an individual and family members that Gender Incongruence by itself, without distress is not a disorder and does not require clinical intervention. Discuss situations where there is a role for mental health support in Gender Dysphoria i.e. discussing with family,</p>	<p>Understand common psychosocial stressors faced by members of LGBTQI communities in India Knowledge about basic tenets of LGBT-affirmative counselling</p> <p>PS13.2: Demonstrate the ability to assess the gender identity of an individual and distress caused (if any) due to the individual's own gender identity in a simulated environment.</p> <p>PS13.3: Describe and understand how to discuss sexual orientation, sexuality identity, gender identity, as well as intersex identity (differences in sex development) as part of routine history taking.</p> <p>PS13.4: Demonstrate in simulated environment the ability to educate and counsel individuals or family members about intersex variations, sexual orientations, sexuality identities, gender incongruence, gender dysphoria, and gender identities. Demonstrate knowledge that conversion therapy practices for sexual orientation or gender identity or on people with intersex variations is unethical.</p> <p>PS13.5: Describe differences between Gender Incongruence and Gender Dysphoria. Describe and understand gender identity, the biological and gender binaries, rejection of gender binary, gender non-conforming, gender non-binary, androgynous, and other identities.</p> <p>PS13.6: Describe and discuss Gender Dysphoria.</p>



दूरभाष/Phone : 011  
5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

पॉकेट -14, सेक्टर-8, द्वारका, फेस-1,  
नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase – 1,  
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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
	gender identity disorders.  PS13.7 Enumerate the appropriate conditions for specialist referral	deciding on hormonal treatments or Sex Reassignment Surgery  PS13.8 Demonstrate in simulated the ability to educate an individual and family members that the gender of an individual can be different than the sex assigned at birth and also educate about the difference between sex and gender of an individual.  PS13.9: Describe the difference between Paraphilia and Paraphilic disorder. Describe different paraphilias.  PS13.10: Describe the prevalence & etiology of the paraphilic disorder.  PS13.11: Enumerate the criteria for the diagnosis (diagnostic criteria) of the paraphilic disorder according to the latest psychiatric classification.  PS13.12: Demonstrate in the simulated environment the ability to educate the individual/family members that paraphilia in itself is not a disease and may not require clinical intervention.	Enumerate criteria to diagnose Gender Dysphoria according to the latest psychiatric classifications (and refer to WPATH guidelines) and when to refer to a mental health professional PS13.7 Demonstrate in the simulated environment the ability to educate an individual and family members that Gender Incongruence by itself is not a disorder and does not require clinical intervention. Discuss situations where there is a role for mental health support in Gender Dysphoria i.e., discussing with family, deciding on hormonal treatments or Sex Reassignment Surgery (Gender Affirming Care or Gender Affirmative Therapies or Gender Confirmation Surgery).  Demonstrate in simulated environment the ability to educate and counsel individual and family members about various types of sexual orientation being normal.  PS13.8 Demonstrate in simulated the ability to educate an individual and family members that the gender of an individual can be different than the sex assigned at birth and also educate about the difference between sex and gender of an individual. Demonstrate the ability to assess gender incongruence in an individual with intersex variations due to their gender identity. Demonstrate knowledge and ability to educate family members that unnecessary medical interventions on individuals with intersex variations are unethical.  PS13.9: Describe the difference between Paraphilia and



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5367033/25367035/25367036  
ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाईट /Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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Sr.	Existing competency	Modified Competency	Modified Competency - Edits by Dr. Prabha Chandra in consultation with LGBTQIA groups( SWABHAVA and TISS)
		<p>PS13.13: Enumerate the reasons for the specialist referral of an individual having gender incongruence, paraphilia,</p> <p>PS13.14: Describe the stages and differences in the normal sexual cycle in males and females.</p> <p>PS13.15: Enumerate the diagnostic criteria of various sexual dysfunctions corresponding to the stages of the human sexual cycle.</p> <p>PS13.16: Describe the management and reasons for specialist referral in the cases of sexual dysfunction.</p>	<p>Paraphilic disorder. Describe different paraphilias. Describe and discuss the importance of informed consent during any sexual interaction. Describe and discuss impact of personal opinions on working with people who express paraphilias.</p> <p>PS13.10: Describe the prevalence &amp; etiology of paraphilic disorders.</p> <p>PS13.11: Enumerate criteria for the diagnosis (diagnostic criteria) of paraphilic disorders according to the latest psychiatric classification.</p> <p>PS13.12: Demonstrate in the simulated environment the ability to educate the individual/family members that paraphilia in itself is not a disease and may not require clinical intervention.</p> <p>PS13.13: Enumerate the reasons for specialist referrals for any of the cases.</p> <p>PS13.14: Describe the stages and differences in the human sexual cycle.</p> <p>PS13.15: Enumerate the diagnostic criteria of various sexual dysfunctions corresponding to the stages of the human sexual cycle.</p> <p>PS13.16: Describe the management and reasons for specialist referral in cases of sexual dysfunction.</p>

दूरभाष / Phone : 011 5367033/25367035/25367036  
 ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
 वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
 फैक्स / Fax : 0091-11-25367024

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 नई दिल्ली-110077  
 Pocket- 14, Sector- 8, Dwarka, Phase - 1,  
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Date: 19.01.2022

Time: 5:00 pm IST.

In pursuance to the orders dated 31.08.2021, 06.12.2021 and 23.12.2021 passed by Hon'ble High Court of Madras in W.P. No 7284 of 2021 titled Ms. Sushma & Anr. Vs The Commissioner of Police & Ors, an expert committee consisting of the following members was formed to address issues related to LGBTQI+A raised by the petitioners. Accordingly, said expert committee meeting was held on 19.01.2022 to discuss the following:-

### Agenda of the meeting:

1. Virginty test in the Forensic Medicine Curriculum of MBBS.
2. Modifications related to LGBTQIA+ Community in MBBS.

The meeting was attended by the following participants:

- |              |  |
|--------------|--|
| 1. Chairman  | Dr. Vijayendra Kumar, Member, UGMEB, NMC.                                    |
| 2. Member    | Dr. Prabha Chandra, Senior Professor, Psychiatry, NIMHANS.                   |
| 3. Member    | Dr. Surekha Kishore, Executive Director AIIMS, Gorakhpur & Member MAC & NMC. |
| 4. Member    | Dr. Indrajit Khandekar, Professor, Forensic Medicine, MGIMS, Sevagram.       |
| 5. Invitee   | Dr. B. N. Gangadhar, President, MARB- NMC.                                   |
| 6. Invitee   | Dr. M. K. Ramesh, President, PGMEB, NMC.                                     |
| 7. Invitee   | Dr. Vijay Oza, Member, PGMEB.  |
| 8. Secretary | Dr. Surabhi Sharma (PT), Senior Consultant, Academic cell, NMC.              |
| 9. Invitee   | Ms. Preeti Nanda, Legal Consultant, NMC.                                     |
| 10. Observer | Dr. Aruna V. Vanikar, President, UGMEB, NMC.                                 |

In the meeting, following discussions were held:-

1. After an extensive discussion, it was decided that there was a need to change the competencies related to LGBTQI+A in PG and UG Competency based Curriculum. Dr Chandra and Dr Khandekar modified the competencies and shared with the committee. The modifications were approved by all.
2. After extensive discussion on conversion therapy, the committee members also shared their recommendations about conversion therapy in its report for further necessary action.

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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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3. It was also discussed that there is a need to change the word "gender identity disorder" in PG curriculum with appropriate words. These recommendations shall be sent to the PG Board for approval. After approval has been sought for all modified competencies and recommendations from all Expert committee members. The same shall be given to NMC which can later issue notifications regarding same.

The minutes were unanimously approved by all.

Prepared by

Dr. Surabhi Sharma (PT)  
Secretary

Dr. Vijayendra Kumar  
Chairman

Dr. BN Gangadhar  
Invitee

Dr. M.K. Ramesh  
Invitee

Dr. Vijay Oza  
Invitee

Dr. Aruna Vanikar  
Observer

Dr. Prabha Chandra  
Member

Dr. Surekha Kishore  
Member

Dr. Indrajit Khandekar  
Member



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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
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**Report of the Expert Committee constituted by NMC to address the issues of LGBTQIA + community and Virginity in Competency Based Medical Education- CBME- Curriculum**

1. Hon'ble Justice N. Anand Venkatesh of Madras High Court in in W.P.No.7284 of 2021 titled MS. S. SUSHMA & Anr Vs The Commissioner of Police & Ors has pointed out certain vital changes that are required in the CBME curriculum.
2. Pursuant to the orders passed by the Hon'ble High Court, the NMC Undergraduate Medical Education Board, through Office Order dt.24.09.2021, constituted an Expert Committee to address these issues in the MBBS course curriculum. The expert committee consisted of following members:-
  - a. Dr. Vijendra Kumar, Member, UGMEB, NMC & Chairman of the Committee.
  - b. Dr. Prabha Chandra, Senior Professor, Psychiatry, NIMHANS & Member, UGMEB.
  - c. Dr. Surekha Kishore, Executive Director, AIIMS, Gorakhpur & Member, UGMEB, NMC & MAC.
  - d. Dr Indrajit Khandekar, Professor, Forensic Medicine, MGIMS, Sevagram.
3. The committee was directed to specifically focus on the following two issues and provide for their recommendations:-
  - a. Virginity Test in the Forensic Medicine Curriculum of MBBS; and
  - b. Modifications related to LGBTQIA+ community in MBBS.
4. The said expert committee was again reconstituted by NMC by order dated 03.01.2021 to consider the issues raised by the petitioner before the hon'ble high court in the hearing held on 06.12.21. The committee was also asked to consider the written submissions made by the petitioner.
5. The committee in its earlier communication had proposed modification in the competencies of Medical Education Curriculum of subject of FMT and Psychiatry. Committee also had suggested to issue an advisory to authors to remove derogatory and unscientific information about LGBTQIA + community and Virginity from medical textbooks.
6. As per the expert committees' recommendations advisory (dated 13.10.21) was issued by the NMC regarding issue of LGBTQ community & virginity. After taking note of the said advisory (dated 13.10.21), Hon'ble High Court of Madras on 06.12.21 and 23.12.21 directed the NMC to give serious consideration to the suggestions made by the counsel of the petitioner about the changes in various competencies (i.e., competencies of Forensic Medicine: FM 3.16, FM 3.13, FM 3.17, FM 3.18 and competencies of psychiatric subject PS 13.1 to 13.7).



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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
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7. The court also expected that the NMC will modify the competencies of the CBME-curriculum and will make the same operational at least from the next academic year.

8. The details of the orders passed by the Hon'ble Madras High Court is as follows:-

**a. Court Order 6.12.21: Para 8 to 11 (page no. 8 to 16):-**

**Para 9:** Court noted the contents of the advisory issued by the NMC to the medical textbook authors about LGBTQ and Virginity.

**Para 11:** Court noted that, the learned counsel appearing on behalf of the Petitioners submitted that the existing competencies of CBME-Curriculum carries offensive and unscientific terms so there is need to amend the said competencies by NMC. Court order also mentions the competencies that needs modification as suggested by the learned counsel appearing on behalf of the Petitioners. The various competencies mentioned in court order are as follows: Forensic Medicine: FM 3.16, FM 3.13, FM 3.17, FM 3.18 and competencies of psychiatric subject PS 13.1 to 13.7. Court order also mentions the suggestions that are needed in the competencies.

**In the same para 11** court noted: NMC is directed to give serious consideration to the suggestions made therein (about competencies) and their status report to be filed on the next hearing shall include their justification, if any, on the same.

**b. Court order 23.12.21: Para 9 and 10:-**

**Para 9 (page 10):** Court citing earlier court order dated 06.12.21 once again reminded that "While taking note of advisory, this Court pointed out certain vital changes that are required in the CBME curriculum.

**Para 10 (page 10):** The court noted "This Court expects that the NMC will come up with a finalised version and recommend the changes to be made to the competencies of the CBME-curriculum. It can be made operational at least from the next academic year"

Thus, court directed to make changes in CBME curriculum and made it operational from the next academic year.

Court further directed to NMC to file a status report in this regard during the next date of hearing.

**c. Court order dated 07.06.21:-**

**Para 43 (H) Page 95:** Court directed the NMC to:-

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फैक्स / Fax : 0091-11-25367024

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- i. Prohibit any attempts to medically "cure" or change the sexual orientation of LGBTQIA+ people to heterosexual or the gender identity of transgender people to cisgender.
- ii. take action against the concerned professional involving themselves in any form or method of conversion "therapy", including withdrawal of license to practice.
- iii. conduct sensitization programs about the same as provided by Rule 10(7)(b) of Transgender Persons (Protection of Rights) Rules, 2020.

### d. Court Order dated 04.10.2021:-

Para 11 (Page 9) Court specifically dealt with the wrong notion even among Doctors/ Mental Health professionals that there is a conversion therapy which is available to cure this so called "disease". Court further observed that "This wrong notion has arisen only due to the type of curriculum that is available for the MBBS Course. Court further made it very clear that necessary changes must be brought-in in the curriculum failing which, there will be doctors who will be indulging in conversion therapy with a foolish notion that there is a cure for gender identity/sexual orientation.

9. In pursuance to the various orders passed by Hon'ble High Court of Madras, said expert committee meeting was held on 13.01.2022 to discuss the issues raised in the order. In the meeting following members were also present:-

- a. Dr. Aruna V. Vanikar, President, UGMEB, NMC & Observer for the meeting.
- b. Dr Surabhi Sharma (PT), Senior Consultant, Academic cell, NMC & Secretary for the meeting.
- c. Ms. Preeti Nanda, Legal Consultant, NMC & Invitee for the meeting.

10. On 19.01.2022 another meeting was held in which following members were invited to consider the issues concerned with PG curriculum and Conversion therapy:-

- a. Dr. M.K. Ramesh. President- The Post-Graduate Medical Education Board- NMC.
- b. Dr. B.N. Gangadhar. President- Medical Assessment & Rating board- NMC.
- c. Dr Vijay Oza. Member. The Post-Graduate Medical Education Board- NMC.

11. In view of the aforementioned court orders, the expert committee constituted by NMC suggested modifications in the competencies (CBME) of Forensic Medicine subject No. FM 3.16, FM 3.13, FM 3.17, FM 3.18 and competencies of psychiatric subject No. PS 13.1 to 13.7) as follows. Table No. A (Note: While studying the curriculum, the committee found that there are other competencies in medical curriculum related to LGBTQIA+ community and other sexual issues which needs changes too. So that are also added in the table).

Sr.	Existing competency	Modified Competency
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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
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Sr.	Existing competency	Modified Competency
<b>Forensic Medicine Competency</b>		
1.	<b>FM3.16</b> Describe and discuss adultery and unnatural sexual offences- sodomy, incest, lesbianism, buccal coitus, bestiality, indecent assault and preparation of report, framing the opinion and preservation and despatch of trace evidences in such cases.	<b>FM 3.16:</b> Describe and discuss informed consent in sexual intercourse. Describe and discuss histories of gender and sexuality-based (sexual orientation) identities and rights in India. Describe history of decriminalisation of 'adultery' and consensual adult homosexual sexual behaviour. Describe sexual offences with its medicolegal significance- <ul style="list-style-type: none"><li>- forced/non-consensual penetrative anal sex</li><li>- forced/non-consensual oral sex</li><li>- sexual acts with animals/ bestiality/ zoophilia</li><li>- forced/non-consensual insertion of fingers or objects</li><li>- forced/non-consensual touching or groping or disrobing ('indecent assault').</li></ul>
2.	<b>FM3.13:</b> Describe different types of sexual offences. Describe various sections of IPC regarding rape including definition of rape (Section 375 IPC), Punishment for Rape (Section 376 IPC) and recent amendments notified till date.	<b>FM3.13:</b> Describe various sections of IPC & CrPC related to definition of rape and sexual assault, medical examination of rape victim and accused of rape, police information by the doctors and medical care with recent amendments notified till date (i.e., Section 375 IPC, 166 B IPC, 357 C & 164 A, 53 A of CrPC). Describe the relevant provisions of POCSO act related to medical examination, emergency medical care and police information.
3.	<b>FM3.17:</b> Describe and discuss the sexual perversions fetishism, transvestism, voyeurism, sadism, necrophagia, masochism, exhibitionism, frotteurism, Necrophilia.	<b>FM3.17.</b> Describe the difference between Paraphilia and Paraphilic disorder. Describe paraphilic disorder as per as per the latest guidelines of DSM & ICD and describe medico-legal implications of paraphilic disorder by referring scientific literature and legal justification (if any). Describe and discuss the various paraphilias in the context of informed consent during any sexual interaction.
4.	<b>FM3.18</b> Describe anatomy of male and female genitalia, hymen and its types. Discuss the medico-legal importance of hymen. Define virginity, defloration, legitimacy and	<b>FM3.18</b> Describe legitimacy and its medicolegal importance. Describe and discuss how 'signs' of virginity (so called 'virginity test', including finger tests on female genitalia) are unscientific, inhuman and discriminatory. Describe and discuss how to appraise the courts about unscientific basis of these tests if court orders it.

दूरभाष/Phone : 011 5367033/25367035/25367036  
ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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Sr.	Existing competency	Modified Competency
	its medicolegal importance.	
5.	<b>FM14.14:</b> To examine & prepare report of an alleged accused in rape/unnatural sexual offence in a simulated/ supervised environment	<b>FM14.14:</b> To examine and prepare report on an alleged accused person in cases of various sexual offences in a simulated/ supervised environment. Demonstrate an understanding of framing the opinion, preservation and despatch of trace evidences in such cases. Describe and discuss personal opinions and their impact on such examinations and the need for objectivity/neutrality to avoid prejudice influencing the case.
6.	<b>FM14.15</b> To examine & prepare medico-legal report of a victim of sexual Offence/unnatural sexual offence in a simulated/ supervised environment.	<b>FM 14.15</b> To examine and prepare medico-legal report on an alleged victim of various sexual offences in a simulated/ supervised environment. (Guidelines and Protocols of Medico Legal Care for Survivors Victims of Sexual Violence. Ministry of Health & Family Welfare, GOI- with latest modifications if any). Demonstrate an understanding of framing the opinion and preservation and despatch of trace evidences in such cases. Describe and discuss sympathetic/ empathetic examination and interview of victims of sexual assault, including presence of trusted adult figure in cases of minor victims.
<b>Psychiatry Competency:</b>		
7.	<b>Topic Name:</b> Psychosexual and gender identity disorders (Vol II Page 210)	<b>Topic Name:</b> Human sexuality; Gender incongruence or Gender dysphoria; Gender non-conformity; Differences of sex development (DSD) or Intersex; Paraphilia and Paraphilic disorders; Sexual dysfunctions.
8.	<b>PS 13.1:</b> Enumerate and describe the magnitude and etiology of psychosexual and gender identity disorders.  <b>PS13.2</b> Enumerate, elicit, describe and document clinical features in patients	<b>PS13.1:</b> Demonstrate an understanding of difference between sex and gender/ biological and social construction of personhood; Demonstrate an understanding of gender identity; Demonstrate an understanding of transgender, gender non-conformity, and other gender diverse identities.  Demonstrate an understanding of sexual/sexuality identity, sexual orientation, sexual desire; Demonstrate an understanding of the wide variety of sexual



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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
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फैक्स / Fax : 0091-11-25367024

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Sr.	Existing competency	Modified Competency
	with magnitude and etiology of psychosexual and gender identity disorders.	orientations and desires; Describe and demonstrate an understanding of the differences in sex development in individuals who don't fit into the biological binary of male or female. Demonstrate an understanding of common myths and misconceptions about LGBTQIA + identities like Hijra, Intersex.
	PS13.3 Enumerate and describe the indications and interpret laboratory and other tests used in psychosexual and gender identity disorders	Demonstrate an attitude of openness and respect for all genders and sexualities. Demonstrate an understanding of common psychosocial stressors faced by members of LGBTQIA+ communities in India.
	PS 13.4 Describe the treatment of psychosexual and gender identity disorders including behavioural, psychosocial and pharmacologic therapy.	Demonstrate Knowledge about basic tenets of LGBTQIA+ affirmative counselling.
	PS13.5 Demonstrate family education in a patient with psychosexual and gender identity disorders in a simulated environment.	PS13.2: Demonstrate the ability to assess the gender identity of an individual and distress caused (if any) due to the individual's own gender identity in a simulated environment. PS13.3: Describe and understand how to discuss sexual orientation, sexuality identity, gender identity, as well as intersex identity (differences in sex development) as part of routine history taking. PS13.4: Demonstrate in simulated environment the ability to educate and counsel individuals or family members about intersex variations, sexual orientations, sexuality identities, gender incongruence, gender dysphoria, and gender identities.
	PS13.6 Enumerate and describe the pharmacologic basis and side effects of drugs used in psychosexual and gender identity disorders.	Demonstrate knowledge that conversion therapy practices for sexual orientation or gender identity or on people with intersex variations are unethical.
	PS13.7 Enumerate the appropriate conditions for specialist referral	PS13.5: Describe differences between Gender Incongruence and Gender Dysphoria. Describe and demonstrate an understanding of the biological and gender binaries, rejection of gender binary, gender non-conforming, gender non-binary, androgynous, and other identities.



दूरभाष / Phone : 011 5367033/25367035/25367036  
ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

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Sr.	Existing competency	Modified Competency
		<p><b>PS13.6:</b> Describe and discuss Gender Dysphoria. Enumerate criteria to diagnose Gender Dysphoria according to the latest psychiatric classifications (refer to WPATH guidelines) and when to refer an individual to a mental health professional.</p> <p><b>PS13.7</b> Demonstrate in the simulated environment the ability to educate an individual and family members that Gender Incongruence by itself is not a disorder and does not require clinical intervention. Discuss situations where there is a role for mental health support in Gender Dysphoria i.e., discussing with family, deciding on hormonal treatments or Sex Reassignment Surgery (Gender Affirming Care or Gender Affirmative Therapies or Gender Confirmation Surgery). Demonstrate in simulated environment the ability to educate and counsel individual and family members about various types of sexual orientation being normal.</p> <p><b>PS13.8</b> Demonstrate in simulated environment the ability to educate an individual and family members that the gender of an individual can be different than the sex assigned at birth and also educate about the difference between sex and gender of an individual. Demonstrate the ability to assess gender incongruence in an individual with intersex variations due to their gender identity. Demonstrate knowledge and ability to educate family members that unnecessary medical interventions on individuals with intersex variations are unethical.</p> <p><b>PS13.9:</b> Describe the difference between Paraphilia and Paraphilic disorder. Describe different paraphilias. Describe and discuss the importance of informed consent during any sexual interaction. Describe and discuss impact of personal opinions on working with people who express paraphilias.</p>



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ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाइट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
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Sr.	Existing competency	Modified Competency
		<p><b>PS13.10:</b> Describe the prevalence &amp; etiology of paraphilic disorders.</p> <p><b>PS13.11:</b> Enumerate criteria for the diagnosis (diagnostic criteria) of paraphilic disorders according to the latest psychiatric classification.</p> <p><b>PS13.12:</b> Demonstrate in the simulated environment the ability to educate the individual/family members that paraphilia in itself is not a disease and may not require clinical intervention.</p> <p><b>PS13.13:</b> Enumerate the reasons for specialist referrals for any of the cases.</p> <p><b>PS13.14:</b> Describe the stages and differences in the human sexual cycle.</p> <p><b>PS13.15:</b> Enumerate the diagnostic criteria of various sexual dysfunctions corresponding to the stages of the human sexual cycle.</p> <p><b>PS13.16:</b> Describe the management (till the level of MBBS graduate domain) and reasons for specialist referral in cases of sexual dysfunction.</p>

12. Gender identity disorder word is mentioned in the **PG competency-based curriculum** of subject of Psychiatry. There is need to change the said word to Gender dysphoria.

13. Regarding Conversion therapy & high court order:-

- a. The court has specifically directed the NMC to:
  - i. prohibit any attempts to medically "cure" or change the sexual orientation of LGBTIQ+ people to heterosexual or the gender identity of transgender people to cisgender.

दूरभाष/Phone : 011 5367033/25367035/25367036  
 ई-मेल /E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
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- ii. take action against the concerned professional involving themselves in any form or method of conversion "therapy", including withdrawal of license to practice.
  - b. The committee is of the view that all Interventions to "change" sexual orientation of a person (commonly referred as Conversion therapy)- Should be banned.
  - c. Hence, the committee submits that,
    - i. To take action against the health professionals for conversion therapy, there is need to make necessary changes in Professional Conduct, Etiquette and Ethics Regulations of NMC and to issue any other instructions/ notification.
- 14. Regarding Conversion therapy & medical curriculum:** We searched competency based medical curriculum of NMC for Undergraduate and Postgraduate courses and noted that the word conversion therapy is not mentioned anywhere. However, it appears that while advocating treatment to change" sexual orientation of a person OR gender identity, conversion therapy has been advocated by some medical professionals or other persons.
- 15. Conclusion:-** It is submitted that if the necessary changes are brought in the competencies of CBME curriculum, then it will help to remove the derogatory, defamatory and unscientific information about LGBTQIA+ community and Virginity from the medical textbooks.
- 16. Recommendations:**
- a. Modify the competencies of Competency Based Medical Education (CBME) curriculum of Forensic Medicine subject (Competency No. No. FM 3.16, FM 3.13, FM 3.17, FM 3.18, FM 14.14, FM 14.15) and of psychiatric subject (Competency No. PS 13.1 to 13.7) as highlighted in table no. A of this report and accordingly issue the necessary official notification in this regard. (Note: The court expected that the modified competencies of the CBME-curriculum will be operational at least from the next academic year).
  - b. Replace the gender identity disorder word used in Competency Based Medical Curriculum of MD psychiatry subject by GENDER DYSPHORIA and accordingly issue necessary official notification in this regard.
  - c. Any attempt/ interventions (commonly referred to as Conversion therapy) to "change" sexual orientation of a person to heterosexual shall constitute UNETHICAL CONDUCT on the part of the medical professionals under chapter 6 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002. Hence, issue necessary official notification in this regard.
  - d. Any attempt/ interventions (commonly referred to as Conversion therapy) to "change" sexual orientation of a person to heterosexual shall constitute PROFESSIONAL MISCONDUCT on the part of the medical professionals under chapter 7 of the Indian Medical Council



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दूरभाष / Phone : 011 5367033/25367035/25367036  
ई-मेल / E-mail : [ugmeb@nmc.org.in](mailto:ugmeb@nmc.org.in)  
वेबसाईट / Website : [www.nmc.org.in](http://www.nmc.org.in)  
फैक्स / Fax : 0091-11-25367024

पॉकेट - 14, सेक्टर-8, द्वारका, फेस-1,  
नई दिल्ली-110077  
Pocket- 14, Sector- 8, Dwarka, Phase - 1,  
New Delhi-110077

**राष्ट्रीय आयुर्विज्ञान आयोग**  
**National Medical Commission**  
**Under Graduate Medical Education Board**

(Professional Conduct, Etiquette and Ethics) Regulation, 2002. Hence, issue necessary official notification in this regard.

- e. In PG Psychiatry Curriculum there is need have module on empathic understanding of psychological issues among LGBTQIA+ groups and an emphasis that any form of conversion therapy is unethical.

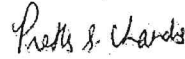
**Acknowledgment:** We extend our heartfelt thankfulness to the following groups, LGBTQ activist and medical experts for helping us in this major and important task that has bearing on the society at large.

1. **SWABHAVA**(charitable trust, registered in Bangalore, Karnataka) that provide access to support services for people who are identified as lesbian, gay, bisexual, transgender, intersex, hijra (LGBT) or other similar gender and sexual(ity) minorities.
2. **TISS Queer Collective Group.**
3. **Dr Bhooshan Shukla.** MD (Psychiatry), DNB (Psychiatry), MRCPsych (London). Child and Adolescent Psychiatrist, Pune. Consultant Child Psychiatrist, Shrimati Kashibai Navale Medical College, Narhe, Pune.
4. **Bindumadhav Khire.** LGBTQIA+ activist for more than 20 years. Authors of various books on issues faced by LGBTQ community. Director of Bindu Queer Rights Foundation (Pune).
5. **Dr. BH Tirpude.** Professor and Head. Dept of FMT. MGIMS. Sewagram. Wardha (MH).
6. **Dr. Harshal Sathe.** MD. DNB in Psychiatry. Assistant Professor. Dept of Psychiatry. MGIMS. Sewagram. Wardha (MH).

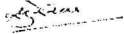
Signed:



Dr. Vijayendra Kumar



Dr. Prabha Chandra,



Dr. Surekha Kishor,



Dr. Indrajit Khandekar,

राष्ट्रीय आयुर्विज्ञान आयोग  
**National Medical Commission**  
**(Undergraduate Medical Education Board)**



**URGENT/COURT MATTER**

The undersigned is directed to say that in compliance to the order dated 23.12.2021 passed by the Hon'ble High Court in Writ Petition (C) No. 7284 of 2021 filed by Ms. S Sushma & Anrs Vs Commissioner of Police before the Hon'ble High Court of Madras, an expert committee under the Chairmanship of Dr. Vijayendra Kumar was formed by National Medical Commission to address the issues/suggestions raised by the petitioner mentioned at Para 11 of the Court order dated 06.12.2021(copy attached). The Expert Committee met on 13.01.2022 & 19.01.2022 wherein the issues were discussed in detail.

S. No.	Actionable Points	Action to be taken by
1.	Modify the competencies of Competency Based Medical Education (CBME) curriculum of Forensic Medicine subject and psychiatric subject as highlighted in table No. A of the report and accordingly necessary notification to be issued.	UGMEB
2.	Replacement of terminology " <i>Gender Identity Disorder</i> " by term <i>Gender dysphoria</i> in PG Competency-based curriculum	PGMEB
3.	Interventions to "change" sexual orientation of a person (commonly referred as Conversion therapy) - should be banned. Professional Conduct, Etiquette and Ethics Regulations of NMC needs to be accordingly amended and in furtherance of that instructions/ notification needs to be issued	NMC EMRB
4.	Attempt/ interventions (commonly referred to as Conversion therapy) to "change" sexual orientation of a person to heterosexual shall constitute PROFESSIONAL MISCONDUCT on the part of the medical professionals under chapter 7 of the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002. Hence, necessary official notification in this regard needs to be issued.	NMC EMRB
5.	In PG Psychiatry Curriculum, there is need to have module on empathic understanding of psychological issues among LGBTQA+ groups and an emphasis that any form of conversion therapy is unethical.	PGMEB

2. It is therefore requested to kindly take an appropriate action in this regard at your end at the earliest under the intimation to UGMEB so that the Hon'ble High Court may be apprised suitably.

3. This may kindly be treated as MOST URGENT.

  
(Rajeev Verma)  
Under Secretary(UGMEB)

Dir(EMRB)

DS (PGMEB)

DS(NMC)

No. NMC/20215(Legal)/

Dated the 15 February, 2022

Copy to :

- (i) O/o Chairman, NMC
- (ii) O/o President (UGMEB)

**IN THE HIGH COURT OF JUDICATURE  
AT MADRAS**

**(Special Original Jurisdiction)**

**W.P.(Crl.) No. 7284 of 2021**

Ms. S Sushma  
D/o. Mr. V. Senthil Kumar  
G-11, Gaiety Palace  
No. 1, Blackers Road  
Chennai 600002 and Anr.

...Petitioners

**Vs**

Director General of Police  
Tamil Nadu Police Department  
Dr. Radhakrishnan Salai,  
Mylapore, Chennai 600004 & Ors.

...Respondents

**2<sup>nd</sup> STATUS REPORT OF NATIONAL  
MEDICAL COMMISSION - 12<sup>TH</sup>  
RESPONDENT**

**M/s. Shubharanjani Ananth (M.S.  
996/2009)  
Standing Counsel for 12<sup>th</sup> Respondent**