

NOTICE

This is in continuation to the earlier Notice for PwD candidates regarding Guidelines for admission of students with “Specified Disabilities” under the Rights of Persons with Disabilities Act, 2016 vide Gazette Notification No. MCI-34(41)/2018-Med./170045 dated 5th February, 2019, an **Amendment has been issued by the Board of Governors in supersession of MCI, vide letter No. MCI-18(1)2018/2018-Med/186891 dated 11.03.2019 in the Post Graduate Medical Education Regulation, 2000 for upper limit of locomotor disabilities.** (Copy enclosed for reference)

PwD candidates who were earlier found ineligible, because their Locomotor Disability was $>90\%$ should get themselves reassessed in the light of above directions from any of the designated Disability centres and obtain a fresh Disability certificate to avail the benefit of 5% PwD reservation.

Notice posted on: 15-03-2019

No.V.11012/10/2018-MEP
Government of India
Ministry of Health & Family Welfare

Nirman Bhavan, New Delhi
Dated the 12th March, 2019

To,
The Secretary General
Medical Council of India
Pocket-14, Sector-8
Dwarka Phase-I
New Delhi-110077.

Subject: Amendment in the Post Graduate Medical Education Regulations, 2000 for upper limit of disabilities - reg.

Sir,

I am directed to refer to letter No. MCI-18(1)/2018-Med/186891 dated 11.03.2019 on the subject mentioned above and to say that copies of notification for amendment in the Post Graduate Medical Education Regulations, 2000 for upper limit of disabilities; have been authenticated by Sh. Sudhansh Pant, Joint Secretary to the Government of India and the same are enclosed along with the forwarding letter to Government of India Press for being sent them for publication of the notification in Gazette of India.

Yours faithfully,



(Amit Biswas)
Under Secretary to the Govt. of India
Telefax:011-23061120

Encl: As above.

Copy to

ADG (ME), Dte.GHS.
MoHFW.

**BOARD OF GOVERNORS
IN SUPERSESSION OF MEDICAL COUNCIL OF INDIA
NOTIFICATION**

New Delhi, the _____, 2019

No.MCI- 18(1)/2018-Med./ - In exercise of the powers conferred by Section 33 of the Indian Medical Council Act, 1956 (102 of 1956), the Board of Governors in Super-session of Medical Council of India with the previous sanction of the Central Government, hereby makes the following Regulations to further amend the "Postgraduate Medical Education Regulations, 2000", namely: -

1. (i) These Regulations may be called the "Postgraduate Medical Education Regulations (Amendment), 2018.

(ii) They shall come into force from the date of their publication in the Official Gazette.

2. In the "Postgraduate Medical Education Regulations, 2000", under the heading of "**Selection of Postgraduate Students**" clause 9 (5) shall be substituted as under:-

Provided further that 5% of the annual sanctioned intake capacity in Government or Government aided higher educational institutions shall be filled up by candidates with benchmark disabilities in accordance with the provisions of the Rights of Persons with Disabilities Act, 2016, based on the merit list of 'National Eligibility-cum-Entrance Test' for admission to Postgraduate Medical Courses. For this purpose, the "Specified Disability" contained in the Schedule to the Rights of Persons with Disabilities Act, 2016 is annexed in Appendix 'III' and the eligibility of candidates to pursue a course in medicine with specified disability shall be in accordance with Appendix 'IV'. If the seats reserved for the persons with disabilities in a particular category remain unfilled on account of unavailability of candidates, the seats should be included in the annual sanctioned seats for the respective Category.

In order to be eligible for admission to Postgraduate Course for an academic year, it shall be necessary for a candidate to obtain minimum of marks at 50th percentile in the 'National Eligibility-Cum-Entrance Test for Postgraduate courses' held for the said academic year. However, in respect of candidates belonging to Scheduled Castes, Scheduled Tribes, and Other Backward Classes, the minimum marks shall be at 40th percentile. In respect of candidates with benchmark disabilities specified under the Rights of Persons with Disabilities Act, 2016, the minimum marks shall be at 45th percentile for General Category and 40th percentile for SC/ST/OBC.

(Dr. R.K. Vats)
Secretary General

(सुधांशु पंत)
(SUDHANSH PANT)

संयुक्त सचिव / Joint Secretary
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Footnote:

The Principal Regulations namely, "Postgraduate Medical Education Regulations, 2000" were published in Part III, Section 4 of the Gazette of India on 06/10/2001; 16/03/2005; 23/03/2006; 20/10/2008; 25/03/2009; 06/02/2012; 17/11/2009; 09/12/2009; 16/04/2010; 08/12/2010; 27/12/2010; 09/02/2012; 27/02/2012; 28/03/2012; 17/04/2013; 01/02/2016; 17/06/2016; 08/08/2016; 31/01/2017; 11/03/2017; 06/05/2017; 27/06/2017, 31/07/2017, 20.02.2018, 05.04.2018 & 23.01.2019

Appendix III

(Refer Regulation 9(5))

A SCHEDULE is annexed regarding, "SPECIFIED DISABILITY" clause (zc) of section 2, that states as under,

1. Physical disability

A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including—

(a) "leprosy cured person" means a person who has been cured of leprosy but is suffering from—

(i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eye-lid but with no manifest deformity;

(ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;

(iii) extreme physical deformity as well as advanced age which prevents him/her from undertaking any gainful occupation, and the expression "leprosy cured" shall construed accordingly;

(b) "cerebral palsy" means a Group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;

(c) "dwarfism" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;

(d) "muscular dystrophy" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterized by progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissue; (e) "acid attack victims" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment—

(a) "blindness" means a condition where a person has any of the following conditions, after best correction—

(i) total absence of sight; or

(ii) visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction; or

(iii) limitation of the field of vision subtending an angle of less than 10 degree.

(b) "low-vision" means a condition where a person has any of the following conditions, namely:—

(i) visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 or upto 10/200 (Snellen) in the better eye with best possible corrections; or

(ii) limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.

C. Hearing impairment -

(a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears;

(b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears;

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- D. "speech and language disability" means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.
2. Intellectual disability, a condition characterized by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behavior which covers a range of every day, social and practical skills, including—
 - (a) "specific learning disabilities" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;
 - (b) "autism spectrum disorder" means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviours.
 3. Mental behaviour,— "mental illness" means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognize reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterized by subnormality of intelligence.
 4. Disability caused due to—
 - (a) chronic neurological conditions, such as—
 - (i) "multiple sclerosis" means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelination and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;
 - (ii) "parkinson's disease" means a progressive disease of the nervous system marked by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.
 - (b) Blood disorder—
 - (i) "haemophilia" means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterized by loss or impairment of the normal clotting ability of blood so that a minor wound may result in fatal bleeding;
 - (ii) "thalassemia" means a group of inherited disorders characterized by reduced or absent amounts of haemoglobin.
 - (iii) "sickle cell disease" means a hemolytic disorder characterized by chronic anemia, painful events, and various complications due to associated tissue and organ damage; "hemolytic" refers to the destruction of the cell membrane of red blood cells resulting in the release of hemoglobin.
 5. Multiple Disabilities (more than one of the above specified disabilities) including deaf blindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.
 6. Any other category as may be notified by the Central Government.

Note: Any amendment to the Schedule to the RPWD Act, 2016, shall consequently stand amended in the above schedule.

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Appendix "IV"

Guidelines regarding admission of students with "Specified Disabilities" under the Rights of Persons with Disabilities Act, 2016 with respect to admission in Postgraduate Courses in Modern Medicine

Note 1. The "Certificate of Disability" shall be issued in accordance with the Rights of Persons with Disabilities Rules, 2017 notified in the Gazette of India by the Ministry of Social Justice and Empowerment [Department of Empowerment of Persons with Disabilities (*Divyangjan*)] on 15th June 2017.

2. The extent of "specified disability" in a person shall be assessed in accordance with the "Guidelines for the purpose of assessing the extent of specified disability in a person included under the Rights of Persons with Disabilities Act, 2016 (49 of 2016)" notified in the Gazette of India by the Ministry of Social Justice and Empowerment [Department of Empowerment of Persons with Disabilities (*Divyangjan*)] on 4th January 2018.

3. The minimum degree of disability should be 40% (Benchmark Disability) in order to be eligible for availing reservation for persons with specified disability.

4. The term 'Persons with Disabilities' (PwD) is to be used instead of the term 'Physically Handicapped' (PH).

S. No.	Disability Type	Type of Disabilities	Specified Disability	Disability Range		
				Eligible for Medical Course, Not Eligible for PwD Quota	Eligible for Medical Course, Eligible for PwD Quota	Not Eligible for Medical Course
1.	Physical Disability	A. Locomotor Disability, including Specified Disabilities (a to f).	a. Leprosy cured person*	Less than 40% disability	40-80% disability. Persons with more than 80% disability may also be allowed on case to case basis and their functional competency will be determined with the aid of assistive devices, if it is being used, to see if it is brought below 80% and whether they possess sufficient motor ability as required to pursue and complete the course satisfactorily.	More than 80%
b. Cerebral Palsy**						
c. Dwarfism						
d. Muscular Dystrophy						
e. Acid attack victims						
f. Others*** such as Amputation, Poliomyelitis, etc.						
* Attention should be paid to loss of sensations in fingers and hands, amputation, as well as involvement of eyes and corresponding						

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	recommendations be looked at. ** Attention should be paid to impairment of vision, hearing, cognitive function etc. and corresponding recommendations be looked at. *** Both hands intact, with intact sensations, sufficient strength and range of motion are essential to be considered eligible for medical course.			
B. Visual Impairment (*)	a. Blindness	Less than 40% disability	-	Equal to or More than 40% Disability
	b. Low vision			
C. Hearing impairment @	a. Deaf	Less than 40% Disability	-	Equal to or more than 40% Disability
	b. Hard of hearing			
	(*) Persons with Visual impairment / visual disability of more than 40% may be made eligible to pursue Postgraduate Medical Education and may be given reservation, subject to the condition that the visual disability is brought to a level of less than the benchmark of 40% with advanced low vision aids such as telescopes / magnifier etc. @ Persons with hearing disability of more than 40% may be made eligible to pursue Postgraduate Medical Education and may be given reservation, subject to the condition that the hearing disability is brought to a level of less than the benchmark of 40% with the aid of assistive devices. In addition to this, the individual should have a speech discrimination score of more than 60%.			
D. Speech & language disability\$	Organic/ neurological causes	Less than 40% Disability	-	Equal to or more than 40% Disability
\$ Persons with Speech Intelligibility Affected (SIA) shall be eligible to pursue postgraduate courses, provided Speech Intelligibility Affected (SIA) score shall not exceed 3(three), which is 40% or below. Persons with Aphasia shall be eligible to pursue postgraduate courses, provided Aphasia Quotient (AQ) is 40% or below.				

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S. No.	Disability Type	Type of Disabilities	Specified Disability	Disability Range		
				Eligible for Medical Course, Not Eligible for PwD Quota	Eligible for Medical Course, Eligible for PwD Quota	Not Eligible for Medical Course
2.	Intellectual disability		a. Specific learning disabilities (Perceptual disabilities, Dyslexia, Dyscalculia, Dyspraxia & Developmental aphasia)#	# Currently there is no Quantification scale available to assess the severity of SpLD, therefore the cut-off of 40% is arbitrary and more evidence is needed.		
				Less than 40% Disability	Equal to or more than 40% disability and equal to or less than 80%. But selection will be based on the learning competency evaluated with the help of the remediation/assisted technology/aids/infrastructural changes by the Expert Panel	More than 80% or severe nature or significant cognitive/intellectual disability
			b. Autism spectrum disorders	Absence or Mild Disability, Asperger syndrome (disability of upto 60% as per ISAA) where the individual is fit for postgraduate course by an expert panel	Currently not recommended due to lack of objective method to establish presence and extent of mental illness. However, the benefit of reservation/quota may be considered in future after developing better methods of disability assessment.	More than 60% disability or presence of cognitive/intellectual disability and/or if the person is unfit for pursuing postgraduate course by an expert panel
3.	Mental behaviour		Mental illness	Absence or mild Disability: less than 40% (under IDEAS)	Currently not recommended due to lack of objective method to establish presence and extent of mental illness. However, the benefit of reservation/quota may be considered in future after developing better methods of disability assessment.	Equal to or more than 40% disability or if the person is unfit to perform his/her duties. Standards may be drafted for the definition of "fitness to practice medicine", as are used by several institutions of countries other than India.

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S. No.	Disability Type	Type of Disabilities	Specified Disability	Disability Range		
				Eligible for Medical Course, Not Eligible for PwD Quota	Eligible for Medical Course, Eligible for PwD Quota	Not Eligible for Medical Course
4.	Disability caused due to	a. Chronic Neurological Conditions	i. Multiple Sclerosis	Less than 40% Disability	40-80% disability	More than 80%
			ii. Parkinsonism			
		b. Blood Disorders	i. Haemophilia	Less than 40% Disability	40-80% disability	More than 80%
			ii. Thalassemia			
			iii. Sickle cell disease			
		5.	Multiple disabilities including deaf blindness	More than one of the above specified disabilities	Must consider all above while deciding in individual cases recommendations with respect to presence any of the above, namely, Visual, Hearing, Speech & Language disability, Intellectual Disability, and Mental Illness as a component of Multiple Disability. Combining Formula as notified by the related Gazette Notification issued by the Govt. of India $a + \left[\frac{b(90-a)}{90} \right]$ (where a= higher value of disability % and b=lower value of disability % as calculated for different disabilities) is recommended for computing the disability arising when more than one disabling condition is present in a given individual. This formula may be used in cases with multiple disabilities, and recommendations regarding admission and/or reservation made as per the specific disabilities present in a given individual	

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