

Annexure

**Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment**

National Council for Transgender Persons (NCTP)

First Meeting

Minutes

The First Meeting of the National Council for Transgender Persons (NCTP) was, held on 15th October, 2020 in New Delhi through the Video Conference under the chairpersonship of ShriThaawarchandGehlot, Hon'ble Minister (SJ&E). The list of Members, who attended the meeting, is at Annexure.

2. At the outset, Secretary (SJ&E) welcomed all members of the Council to the First meeting on this historic day, which has come after a lot of struggle. The Transgender Persons Act was notified on 05.12.2019 and came into effect on 10.01.2020. Thereafter, several consultations and hundreds of suggestions received and examined in the Ministry, the relevant suggestions were incorporated and 'The Transgender Persons (Protection of Rights) Rules, 2020' were notified in the Gazette of India on 29.09.2020. The Rules include a package of welfare measures, which will guide action in future.

3. Secretary (SJ&E) informed that the Ministry, vide notification dated 21.08.2020, constituted the National Council for Transgender persons (NCTP) with Hon'ble Minister (SJ&E) as Chairperson, Hon'bleMoS(SJ&E) as Vice-chairperson, Secretary,SJE and other members including ex-officio members, representatives from ten concerned Ministries/ Departments, one representative each from NHRC and National Commission of Women, five representatives from the State Governments and Union territories by rotation, five representatives of transgender community, one each from the North, South, East, West and North-East regions, five experts from representatives of NGOs or Associations, working for the welfare of transgender (TG) persons and Joint Secretary (SJ&E) as Member Secretary. He further informed about the duties and responsibilities of the Council.

4. The Chairperson in his opening remarks welcomed all the members to the first Council meeting. He also informed them that the Ministry is already taking various steps for welfare and inclusion of Transgender community in the society and now with the support of the Act and Rules, Ministry will try to extend its reach to all the Community as a whole. Hon'ble Minister informed that all necessary measures would be taken towards protection against discrimination, access to health, education, affordable housing and other measures for welfare and economic support. Chairperson also intimated that a comprehensive scheme would be made with main components of education, skill

development and economic linkages, support to parents of transgender children, health and medical interventions and shelter homes. Council members were also informed about that a National Portal for transgender persons is under construction and would be launched soon. Chairperson informed of the pilot projects of Shelter Homes that are being taken up by the Ministry and urged all members of the Council to enthusiastically participate in the functioning of the Council and to provide their valuable suggestions. This Council will be acting as apex body for taking various welfare measures for the Transgender Community.

5. Joint Secretary (SJ&E) made a presentation briefing the Council about salient features of the TG Rules and the proposed welfare measure to be taken up by the Ministry. A brief demonstration about the National Portal was given showing the provisions in which a TG person can apply from anywhere in India and need not be any physical interface of Transgender person with office of issue. She informed the Council that the Ministry is planning to launch a National helpline to cater to the Transgender community, which will offer legal, health, and psychological support and economic advice to members of the community. She briefed also about the suggestive list of welfare measures/schemes as specified in the Transgender Persons (Protection of Rights), Rules, 2020.

6. The floor, thereafter with the permission of the Chair was opened for discussion, and the members from the Transgender Community were invited to express their views.

7. Ms. Laxmi Narayan Tripathi (North Region), Transgender Member, stated that it is a historic day and welcomed initiatives taken up by the ministry. She emphasized on the need for wide publicity of the Act and Rules among the Community so that the positive message reaches in the Community to ensure right kind of knowledge is percolated within the Community to understand the usefulness of the Act and the Rules. She also proposed that Transgender persons may be enrolled as enumerators for the next Census. The members lauded the efforts of Indian Government stating that within the Asia-Pacific Region, India is the only country to have taken a lead in improving the conditions of the TG Community.

8. Ms. MeeraParida (East Region), Transgender Member, thanked Hon'ble Minister for TG Act, NCTP and Rules. She told that there should be sustainable growth of TG persons and mentioned that 'SabkaSaathSabkaVikasSabkaVishwas' is coming out to be true. Praising the efforts she said that lot of good work is done and equality of gender and sexuality may be kept in view while taking measures to mainstream the TG Community into the Society.

9. Ms. ZainabJavid Patel (West Region), Transgender Member, stated that she has been working for welfare of the Community since the last 20 years and also had experience of working with the UN. She emphasized need for sensitization and development of TG action plan. She further emphasized for inclusion of enumerated Transgender persons in the Ayushman Bharat, and also in the existing schemes and programmes. Health Card and BPL Card should be issued to all Transgender persons and there should be an automatic inclusion of TG persons. There should be an inter-ministerial consultation and separate funds be earmarked for TG persons by all

Ministries/ Departments as it is presently done for tribal community by each Ministry/ Department. She emphasized on violence outside and within the Community and said that there should be provisions for penal power to the Council on the lines of the Women Commission and there should be a robust feedback mechanism.

10. Ms. Reshma Prasad, expert informed that she is working for the welfare of TG persons and insisted on some written documents detailing the rights of members of the Council and TOR for them to carry out the activities effectively. She further requested that a TG Welfare Office should be set up in every district in the Country and only TG persons should be employed in that, so that they may get their livelihood and also handle issues in their district with utmost care and sensitivity.

11. Shri Aryan Pasha, expert stated that there should be shelter homes for Transmen and stated that welfare measure should be taken up for them including surgery which should be free of cost.

12. ShriVihaanPeethambar, expert stated that he is working for the welfare of Transgender Persons in Kerala. He requested Ministry to write to State Governments to inform them about the constitution of National Council, so that the Council members can work efficiently in the States. States may also be requested to implement the provisions of the TG Act and to include Transgender persons in various existing schemes of the State Governments. He stated that though there are a number of schemes of the Central Government for all men and women there is no scheme for TG persons. There should be a Central Government order for implementation of all schemes for welfare of TG persons and clear way forward to implement the provisions of the Act. He further stated that there should be penalty provision for violence against TG.

13. Shri Patel ChandubhaiGaneshdas, expert emphasized to include Transgender Persons in all application forms. He also stressed to increase the pension amount for Transgender persons and provision of Scholarships to all Transgender students.

14. ShriGopi Shankar, representative from South region requested this Ministry to decide on the mechanism for functioning of the members of the Council and reimbursement of expenses for carrying out the activities of the Council. He emphasized on the need to device strategy and work plan for TG persons and stated that there should be a monitoring and evaluation system for these persons and a periodical report should be published mentioning the measures taken so far or that which need to be taken. The representative also emphasized upon the need for decisive action on forcible intersex changes and conversion therapies.

15. Ms. Anita Sinha, Joint Secretary, NHRC stated that the Act was a long standing demand of TG persons, which has been fulfilled by the ministry. This is a very important step in main streaming the community. The member stated that NHRC is sensitive towards TG community and NHRC responded to issues which came up during COVID 19 and accordingly, issued advisory and put it on their website. NHRC held a conference in Bangalore on February 2020 on Transgender persons, in which it was directed to all concerned appropriate authorities to respond to the issues flagged by the community. Member emphasized upon the measure for TGs with disabilities, provision

of exclusive medical facilities and measure towards abandoned TG children. She informed that NHRC has a core group on LGBTQI and has periodical meetings, had done research on TG persons, which is going to be published and uploaded on the website very soon.

16. ShriManojAggarwal, Additional Chief Secretary, Government of Gujarat stated that several measures are taken to include transgender in the society with the help of Act and Rules being in force. He informed that Government of Gujarat has constituted Transgender Welfare Board and Government is taking care for making them self dependent. Council was inform that there are about 11,000 TG persons in Gujarat as per the 2011 Census and requested this Ministry to include TG in next census to get exact number of Transgender persons across the Country. It was also informed that Social Justice & Empowerment Department in Gujarat is working together with Health and Labour Departments for the welfare of TG persons. They have already provided pension and scholarship to TG persons. Separate fund has been allocated by the Government of Gujarat during the current financial year.

17. The representative of UT of Jammu & Kashmir stated that Act, Rules and NCTP are milestones for the welfare of TG persons. Jammu & Kashmir has already started to cover TG persons under pension scheme. It was informed that constitution of Welfare Board is under process.

18. ShriPawan Mehta, Deputy Secretary, MoHA stated that although law and order is a State subject, but MHA may issue advisory to the State Government Police administrations on the matters to deal with atrocities against Transgender persons. To this suggestion, MsLaxmi Narayan Tripathi, Transgender member stated that TG members of the Councils may be called for discussion so that the problems being faced by the community could be discussed before issuing the Advisory.

19. The representative of Department of School Education & Literacy stated that they are already running SamgraSiksha Scheme can include Transgender children and proposed carrying out sensitization programs for teachers.

20. Ms. Kalyani Mishra, Economic Advisor, Ministry of Rural Development congratulated the Ministry for Act, Rules and NCTP and stated that their Ministry is keen to work and cooperate for the welfare of Transgender persons.

21. Ms. KakChingtabamShyamcand Sharma, representative of North East Region congratulated Ministry for making Act, Rules and NCTP and stated that she is very happy that the Government is working for the welfare of TG persons.

22. Joint Secretary (SJ&E) summed up the meeting and thanked all NCTP members, Hon'ble Minister (SJ&E) and Chairperson for his continuous support and motivation to work for the welfare of Transgender persons .

The meeting concluded with thanks to the Chair.

AnnexureFirst Meeting of NCTP, held on 15.10.2020 at 11.00 amList of Participants

Sl. No.	Name of the Participant and Designation	Title in NCTP
1.	ShriThaawarchandGehlot, Hon'ble Min. (SJ&E)	Chairperson
2.	Shri R. Subrahmanyam, Secretary (SJ&E)	Ex-officio Member
3.	Ms. B. RadhikaChakravarthy, Joint Secretary (Social Defence)	Member Secretary
4.	Ms. Anita Sinha, Joint Secretary, NHRC	Ex-officio Member
5.	Ms. Kalyani Mishra, Eco. Advisor (PPM)	Ex-officio Member
6.	Mr S N Mathur, Joint Secretary, Department of Pension and Pensioner's Welfare	Ex-officio Member
7.	MsRicha Shankar, DDG, Ministry of Minority Affairs	Ex-officio Member
	Mr A K Samantaray, DDG, Ministry of Labour and Employment	Ex-officio Member
8.	Representative of Department of School Education & Literacy	Ex-officio Member
9.	ShriPawan Mehta, Deputy Secretary, MoHA	Ex-officio Member
10.	Shri Sanjay Kumar, Under Secretary ,MoHUA	Ex-officio Member
11.	ShriManojAggarwal, ACS, SJED, Gujarat State Government	Nominated Member
12.	MsBratatiHarichandan, Director, SS and EPD Department, Government of Orissa	Nominated Member
13.	MsRehanaBetul, Director (Social Welfare), UT of Jammu & Kashmir	Nominated Member
14.	Ms. Laxmi Narayan Tripathi (North Region)	Nominated Member
15.	ShriGopi Shankar (South Region)	Nominated Member
16.	Ms. MeeraParida (East Region)	Nominated Member
17.	Ms. ZainabJavid Patel (West Region)	Nominated Member
18.	Ms. KakChingtabamShyamcand Sharma, (North East Region)	Nominated Member
19.	Shri Aryan Pasha, Expert	Nominated Member
20.	ShriVihaanPeethambar, Expert	Nominated Member
21.	Ms. Reshma Prasad, Expert	Nominated Member
22.	Shri Patel ChandubhaiGaneshdas, Expert	Nominated Member