

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)

W.P. No. 6052 of 2019

Grace Banu Ganesan

... Petitioner

-vs-

State of Tamil Nadu and Ors.

... Respondents

INDEX TO ADDITIONAL TYPED SET OF PAPERS FILED BY THE PETITIONER

S.No.	Date	Document	Page
1.	06.11.2017	G.O. (Ms) No. 74 Social Welfare and Nutritious Meal Programme (Translated Copy)	1
2.	21.02.2019	Letter from District Social Welfare Officer regarding Screening Tests for issuance of Identity cards (with translated copy)	5
3.	-	Sample of Screening Report	7
4.	11.03.2019	RTI Application and Response received on procedure for issuance of Identity Cards in Tamil Nadu	8

Certified That the above documents are true copies of their respective originals.

Dated at Chennai this the 5th day of August 2019



COUNSEL FOR PETITIONER

Social Welfare and Nutritious Meal Programme Department- Tamil Nadu Transgender Welfare Board- Order amending Transgender Welfare Board and appointment of 9 new non-official members- Order appointing 3 additional non-official members transgenders

Social Welfare and Nutritious Meal Programme (SW8(2) Department

Government Order (Ms) No.74

Date: 06.11.2017

Thiruvalluvar Year 2048

1. Government (Ms) Order No.38, Social Welfare and Nutritious Meal Programme Department; Dated 15.04.2010
2. Government (Ms) Order No.16, Social Welfare and Nutritious Meal Programme Department; Dated 18.01.2010
3. Government (Ms) Order No.85, Social Welfare and Nutritious Meal Programme Department; Dated 30.03.2010
4. Government (Ms) Order No.184, Social Welfare and Nutritious Meal Programme Department; Dated 26.10.2010
5. Government (Ms) Order No.71, Social Welfare and Nutritious Meal Programme Department; Dated 06.11.2015
6. Government (Ms) Order No.07, Social Welfare and Nutritious Meal Programme Department; Dated 03.02.2017
7. Government (Ms) Order No.41, Social Welfare and Nutritious Meal Programme Department; Dated 03.07.2017
8. Petition of the Joint Secretary, South Indian Transgender Confederation, Tamil Nadu; Dated 20.07.2017
9. Social Welfare Commissioner's Letter No.27175/SW1(3)/2012, Date:08.08.2017

Order

In order to provide complete social security schemes to the third gender persons (transgenders) residing in Tamil Nadu and to implement them properly, the above referred first Government Order provides for establishment of Transgender Welfare Board with:-

1	Hon'ble Social Welfare Department Minister	President
2	Special Commissioner & Secretary, Social Welfare and Nutritious Meal Programme Department	Vice-President
3	Commissioner, Social Welfare	Member Secretary

2

4	Secretary, Finance Department	Official Member
5	Secretary, Law Department	Official Member
6	President, Tamil Nadu Women Commission	Official Member
7	Head of the Police Department, Tamil Nadu Human Rights and Social Justice Commission	Official Member
8	Managing Director, Tamil Nadu Women Development Corporation	Official Member
9	Director, College Education Department	Official Member
10	Director, Medical Education Department	Official Member
11	Director, Employment and Training Department	Official Member

Non-Official Members:-

1	S.Noori, President, Network of South Indian with HIV , Chennai
2	Priya Babu, Director, Confederation of Transgender Development Institution CIDA, Kanchipuram
3	A.J.Hariharan, Secretary, Indian Social Welfare Institution, Chennai
4	Ms.R.Jeeva, President, Association of Transgender Rights, Chennai
5	V.Saleema, President, Transgender Community Development Association, Villupuram
6	S.K.Ganga, President, Transgender Welfare Association of Vellore District, Vellore
7	Mogana, President, All India Transgender Rights and Rehabilitation Centre, Trichirapalli
8	M.Kadher Moydeen (Alias) Kanimozhi, President, Self-Management Institution, Madurai

After that as per the above referred second Government Order, Mrs.V.Viji, the Founder and the Managing Director of Anbu Trust is appointed as the non-official member of the above said Board.

2. Upon the end of tenure of the non-official member, through the above referred 7th Government Order, without making any changes in the non-official members in the Tamil Nadu Transgender Welfare Board, 9 below given new non-official members of the have been appointed by altering the board:

1	Pappima, Chennai Transgender's Development Rehabilitation Trust, Chennai
2	P.Sudha, Action for Transgender/Event Management, Chennai

3	Olga G.Aaron, Founder, BRAVOH, Chennai
4	B.Jeevan, Planning Director, CSC-VIHAAN Plan, Thoothukudi
5	D.Viji, Secretary, Vidivelli Transgender Welfare Association, Thiruvallur
6	G.Sumathi, President, Transgender Welfare Board, Thirunelveli
7	E.Ramya, Managing Director, 'NEET' Non-Governmental Organization, Neyveli
8	A.Gopika, President, Salem Aravanigal Thaaai Vizhudugal Trust (SATVI), Salem
9	P.Kajol, President, SAFE Non-Governmental Organization, Thiruchirapalli

3. As per the above said petition referred in the 8th item, the Joint Secretary of the South Indian Transgender Confederation, Tamil Nadu had stated that as of now the list of non-official members in the Transgender Welfare Board does not have few prominent persons who works for the welfare of the transgender community. Therefore, in order to run the board effectively, request was made for the appointment of following five Transgender Persons as non-official members:-

S.No	Name
1	Mogana, President, South Indian Transgender Confederation
2	N.Jayadevi, Chennai
3	Noori, President, Transgender Welfare Association, Madurai
4	Subhiksha, President, My Society, Coimbatore
5	K.Sundari, President, Transgender Welfare Association, Thiruvallur

4. On the basis of the sub-rules referred in the above said 3rd and 4th Government Orders, a meeting led by the leadership of Social Welfare and Nutritious Meal Programme Minister, Vice-President, Principal Secretary, Social Welfare and Nutritious Meal Programme Department and Member-Secretary and Social Welfare Commissioner was conducted on 25.10.2017 at 11:30 AM to decide about the appointment of five more transgender persons as non-official members in the Transgender Welfare Board. In the meeting it was decided that 3 transgender persons can be appointed as non-official members:-

S.No	Name
1	N.Jayadevi, Chennai
2	Noori, President, Transgender Welfare Association, Chennai
3	Subhiksha, President, My Community, Coimbatore

A

5. On the basis of consensus reached in the above said meeting, the government appoints the following transgender persons as additional non-official members in the recently reconstituted Transgender Welfare Board:-

S.N	Name
0	
1	N.Jayadevi, Chennai
2	Noori, President, Transgender Welfare Association, Chennai
3	Subhiksha, President, My Community, Coimbatore

Above said non-official members will work as members for three years.

(As per the order of the Governor)

K.Manian

Principal Secretary to Government

To

Social Welfare Commissioner, Chennai-15

Secretary, Finance Department, Chennai-9

Secretary, Law Department, Chennai-9

All Official Members/Non-Official Members, (through Social Welfare Commissioner)

Social Security Commissioner, Chennai-10

Director, Integrated Child Development Work, Chennai-113

All District Collectors, (Through Social Welfare Commissioner)

All District Social Welfare Officers (Through Social Welfare Commissioner)

All the District Treasury Officers (Through Social Welfare Commissioner)

மாண்புமிகு சமூக நல அலுவலகம்,
தூத்துக்குடி, மாவட்ட சமூக நல அலுவலர், (பொ)
தூத்துக்குடி.

மாண்புமிகு
முதுகல்வி,
அரசு மருத்துவ கல்லூரி,
மருத்துவமனை,
தூத்துக்குடி.

2019
21

மேல்காணும் 401/அ5/2018

நாள் : 21.02.2019

மேல்காணும் : சமூக நலத்துறை - மாவட்ட சமூக நல அலுவலகம், தூத்துக்குடி -
தமிழ்நாடு மூன்றாம் பாலினர்களுக்கான நலவாரிய அடையாள அட்டை
வழங்கு Screening Test கமிட்டி மூலம் நடத்தி அறிக்கை தருவது
தொடர்பாக.

- மேல்காணும் :
1. சென்னை சமூக நல இயக்குநர் (பொ) அவர்களின்
கடிதம் ந.க.எண் 16872/மந1(3)/2015 நாள் 13.12.2017
 2. அரசாணை எண் நிலை 38, 109 மற்றும் 152
சமூகநலம் மற்றும் சத்துணவுத் திட்டத் (சந8) துறை
2008.

மேல்காணும் கண்ட கடிதத்தின்படி தூத்துக்குடி மாவட்டத்தில் உள்ள மூன்றாம்
பாலினர்களுக்கான நலவாரிய அடையாள அட்டை இல்லாத மூன்றாம் பாலினர்களுக்கான
நலவாரிய அடையாள அட்டை வழங்குவதற்கு கமிட்டி மூலம் Screening Test செய்து
அறிக்கை தருவது அன்புடன் கேட்டுக் கொள்கிறேன்.

மாவட்ட சமூக நல அலுவலர், (பொ)
தூத்துக்குடி.

மாண்புமிகு சமூக நல அலுவலர்,
தூத்துக்குடி
10.12.2018

21/2/19
21/2/19



From

Mrs.Muthulakshmi , M.A.,
District Social Welfare Officer,
Thoothukud

To

Principal,
Government Medical College and Hospital
Thoothukudi

Na.Ka.No.401/A5/2018 ; Date:21.02.2019

Subject: Social Welfare Department—District Social Welfare Office, Thoothukudi —Regarding submitting report after conducting Screening Test through the Committee for the purpose of issuing Welfare Identity Card to Transgender Persons in Tamil Nadu

Ref: 1. Chennai, Social Welfare Commissioner's Letter No.16872/SW1(3)/2015; Date: 13.12.2017

2. Government Order No.38, 109 and 152

Social Welfare and Nutritious Meal Programme (SW8) 2008

As per the above referred letter, I request you to kindly conduct Screening Test through committee for issuing Welfare Identity Card to the Transgender Persons who are residing in the District of Thoothukudi but does not have Welfare Identity Card and submit report regarding the test.

District Social Welfare Officer,

Thoothukudi

(Sd/)

THIRUNANGAI'S SCREENING REPORT

1. PERSONAL DETAILS

1. Name :

2. Age :

3. Address :

2. IDENTIFICATION MARKS : 1.

: 2.

3. GENERAL EXAMINATION :

4. GENITAL EXAMINATION :

5. PSYCHIATRIST OPINION :

Signature of the Medical Officer,

8

From

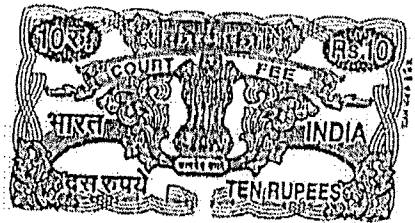
C.Prabhu

12/2, IInd Floor,

Kamarajar Street, (Near New Avadi Road)

Ayanavaram, Chennai-600 023

Date: 11.03.2019



To

The Public Information Officer,

Office of the Commissionerate of Social Welfare Department,

Panagal Building, Saidapet, Chennai-600 015

Subject: Application under Right to Information Act, 2005

Sir/Madam,

Kindly provide me with following information under Right to Information Act:-

1. Kindly provide me with copy of the Government Order or Notification which explains the procedures and documents required for granting of an Identity Card for a Transgender Person.
2. Kindly provide me with copy of document which prescribes the procedure for a Transgender Person who want to identify as male or female or transgender.
3. Kindly provide me with copy of the Government Order or Notification, which prescribes procedure or states which documents are required for gazette notification for name change and change of gender identity for a Transgender Person.
4. Are medical documents for showing sex change required to be submitted if a transgender person is seeking change of his or her name and gender identity?
5. Kindly provide me with copy of the Government Order or Notification, which provides details of present members of Tamil Nadu Transgender Welfare Board.

Dial 1200 266 4000



RTI23052224IN INF:62342230622
R. CHENNAI S.P.O. (600001)
Counter Hrs: 5.11.03/2019, 13:41
Post Office
Panagal Building, Saidapet S.O (Chennai)
Pin: 600015
M: 9840000000

Thanks

Regards

C.Prabhu
11/3/19

STATE LEVEL COMMITTEE

- 1) District Collector - Chairperson
- 2) Deputy Director of Medical and
Public Health Services - Member
- 3) District Social Welfare Officer - Member
- 4) A Clinical Psychologist / Psychiatrist - Member
- 5) A representative of Aravani
Community nominated by Chairperson - Member

3. The State Level committee and District Level Committee shall meet once in 3 months and review its function. The District Level Committee members shall identify and verify the transgender. The State Level Committee shall solve problem / difficulties faced on the issue of certificates identifying as transgender.

(By order of the Governor)

N.S. PALANIAPPAN,
Principal Secretary to Government

- The Commissioner of Social Welfare,
Chennai-5.
- All District Collectors (Through Commissioner of Social Welfare)
- The Director, Institute of Obstetrics and Gynecology Chennai,
(Through Commissioner of Social Welfare)
- The Director, Institute of Mental Health Chennai,
(Through Commissioner of Social Welfare)
- All District Social Welfare Officers
(Through Commissioner of Social Welfare)

Copy to:
The Chief Minister's Office, Chennai-9
The Senior Personal Assistant to Hon'ble Minister for Social Welfare, Chennai-9

// Forwarded by order//

6582-33/2000
Section Officer
24.10.03

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

W.P. No. 6052 of 2019

Grace Banu Ganesan

...Petitioner

v.

State of Tamil Nadu and Ors.

...Respondent

Additional Typed Set

SHLOKA NARAYANAN (Ms. 2105/16)

DEEKSHITHA GANESAN (MAH/4411/2016)

ADVOCATES

Counsel for the Petitioner