

Host of measures taken by Government of India for the LGBTQI+ community

DoSJE invites inputs from stakeholders and public at large to ensure inclusive and effective policies

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The Department of Social Justice and Empowerment (DoSJE) has invited inputs of stakeholders and public at large, so as to ensure that policies and initiatives regarding LGBTQI+ community are inclusive and effective. A host of measures have been taken by Government of India regarding the community.

The Supreme Court, in its judgment dated 17.10.2023 in the Writ Petition No. 1011/2022 - Supriyo@Supriya vs. Union, recorded that the Union Government will constitute a committee chaired by Cabinet Secretary for the purpose of defining and elucidating the scope of entitlements of the queer community.

Government of India, through a gazette notification dated 16.4.2024, constituted a Committee with Cabinet Secretary as the Chairperson and Secretaries of Ministry of Home Affairs, Ministry of Women and Child Development, Ministry of Health and Family Welfare, Legislative Department as Members and Secretary, Department of Social Justice and Empowerment as Member Convenor to examine and submit recommendations on the measures to be taken by Central and State Governments to safeguard the interest of the queer community.

The Committee met on 21.5.2024 to discuss issues relating to issue of ration cards, enabling individuals belonging to queer community to have joint bank account with option to name the partner as nominee, harassment on account of their gender identity, sexual orientation etc. It was also decided that a sub-committee be set up to further discuss and finalise the issues pertaining to ration cards, bank accounts, jail visitation requests, law and order measures to ensure that queer community do not face any threat of violence, harassment or coercion, etc.

The sub-committee met on 31.05.2024 under the chairmanship of the Home Secretary, Ministry of Home Affairs. The sub-committee discussed the measures to address discrimination that queer community face especially in relation to their access to social welfare benefits, healthcare and public goods services; police action and violence, etc and asked the Ministries/ Departments to prepare an OM/ advisory for issuance. Thereafter, Ministry of Home Affairs issued advisory to all states/UTs regarding prison visitation rights of the Queer Community and an advisory, on law & order measures to be taken to ensure that queer community do not face any threat of violence, harassment or coercion.

The Department of Social Justice and Empowerment held 'Consultation on LGBTQIA+ matters' on 25.07.2024 with representative members from the LGBTQIA+ community, central Ministries and states. The inputs/suggestions received during the stakeholder consultations have been shared with concerned Ministries/Departments for examination and taking further steps.

The second meeting of Committee under the chairmanship of Cabinet Secretary met on 22.8.2024 and reviewed the status of action taken by Ministries/departments and directed them to immediately issue OMs/advisories pertaining to queer community.

Accordingly, Government of India has already taken following **interim action**:

- i. Department of Food and Public Distribution (D/oF&PD) has issued an advisory to all the States and UTs, that as per existing provisions, enabling partners in a queer relationship are to be treated as a part of the same household for the purposes of ration card. Further, States/UTs have been asked to take necessary measures to ensure that partners in queer relationship are not subject to any discrimination in the issuance of ration cards.
- ii. Department of Financial Services (DFS) has issued an advisory that there are no restrictions for persons of the queer community to open a joint bank account and also to nominate a person in queer relationship as a nominee to receive the balance in the account, in the event of death of the account holder.
- iii. Ministry of Health and Family Welfare has issued letters to all stakeholders including all States/UTs to take measures to ensure the rights of LGBTQI+ community with relation to healthcare, planning awareness activities, prohibition of conversion therapy, availability of sex reassignment surgery, changes in curricula, provision of Tele consultation, sensitization and training various levels of staff and making of provision to claim the body when near relative/next of kin/family is not available.
- iv. The Directorate General of Health Services, Ministry of Health and Family Welfare has also issued letter to the State Health Departments and other stakeholders on the subject of ensuring the health care access and reducing discrimination towards LGBTQI+ community.
- v. Ministry of Health and Family Welfare has framed guidelines in respect of medical intervention required in infants/ children with disorders of sexual differentiation (intersex) to have medically normal life without complications. The Ministry is working on guidelines to address the issues pertaining to mental health/well-being of queer community.

The DoSJE has invited public to share their suggestions and feedback for further measures to be taken regarding queer communities. Suggestions/inputs are to be sent to the following email addresses: [abhishek-upsc\[at\]gov\[dot\]in](mailto:abhishek-upsc[at]gov[dot]in) and [mayank.b\[at\]gov\[dot\]in](mailto:mayank.b[at]gov[dot]in)

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