



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113

CWP No.7488 of 2025

DATE OF DECISION : 3rd APRIL, 2025

Mamta Baba

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE KULDEEP TIWARI

* * * *

Present : Mr. Maninderjit Singh, Advocate for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab
for respondent No.1 to 3.

Mr. Dheeraj Jain, Sr. Panel Counsel
for respondent No.4-UOI.

* * * *

KULDEEP TIWARI, J. (Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for issuance of a *mandamus* upon respondents No.1 to 3 to take necessary steps to constitute Transgender Welfare Board in the State of Punjab, in compliance of Rule 10(1) of the Transgender Persons (Protection of Rights) Rules, 2020.
2. On 19.03.2025, this court while issuing notice of motion, has passed the hereinafter extracted order:

“Through the instant writ petition, prayer is made for issuance of directions upon the respondents No.1 to 3 to take necessary steps for constituting the Transgender Welfare Board in the State of Punjab.

The learned counsel for the petitioner submits that, Rule 10(1) of the Transgender Persons (Protection of Rights) Rules, 2020, casts obligation upon the respondents)-State of Punjab to constitute the Transgender Welfare Board, however, the same has not yet been constituted.



Notice of motion.

Mr. Pardeep Bajaj, D.A.G., Punjab, waives service of notice on behalf of the respondents No. 1 to 3. He is directed to, on the subsequent date of hearing, inform this Court, through filing affidavit of a responsible functionary, as to how much time is required for constituting the Transgender Welfare Board.

Ms./Mrs. Neha Dalal, Advocate for Mr. Dheeraj Jain, Sr. Panel Counsel, for the respondent No.4- U.O.I., waives service of notice on behalf of the respondent concerned.

List on 03.04.2025, in the urgent list.

It is made clear that, on the subsequent date of hearing, no request for adjournment would be entertained on behalf of either side.”

3. In compliance of the direction (*supra*), today the respondent State of Punjab, has filed a copy of notification dated 05.12.2024 which was further circulated on 04.04.2025, to demonstrate that the Transgender Welfare Board has already been constituted. The relevant extract of the notification read as under:

“In exercise of the powers conferred by Rule 10(1) of the Transgender Persons (Protection of Rights) Rules 2020, the Governor of Punjab is pleased to constitute a Transgender Welfare Board consisting of the following:-

Chairperson	Chief Secretary
Member	Director General of Police
Member Secretary	Administrative Secretary of the Department handling matters pertaining to transgender persons
Member	Administrative Secretary of the Home Department
Member	Administrative Secretary of the Planning Department
Member	Administrative Secretary of the Finance Department
Member	Administrative Secretary of the Social Justice,



	Empowerment and Minorities Department
Member	Administrative Secretary of the Health Department
Member	Administrative Secretary of the Education Department
Member	Administrative Secretary of the Skill Development Department
Member	Administrative Secretary of the Labour Department
Member Convener	Administrative Secretary of the Social Security and Women & Child Development Department
Member	Secretary of the State Human Rights Commission
Member Invitee	Any other government/public representatives, with the approval of the Chairperson

The broad functions of Transgender Welfare Board shall be as under:-

1. Monitoring the implementation of Transgender Persons (Protection of Rights) Act 2019 and Transgender Persons (Protection of Rights) Rules 2020.
2. Ensuring welfare of Transgender (TG) persons through Government schemes.
3. Ensuring accessibility of health, housing, education, skilling, legal services and other support to transgender persons.
4. Ensuring non-discrimination of transgender persons at home, workplace and in public places.
5. Ensuring inclusion of "transgender" as an option whenever gender-related information is collected by any government department.
6. Monitor the issue of transgender certificates by district authorities of the State Government.
7. Check that transgender identity certificates issued by the District Magistrate is taken as a valid document for different Government schemes.
8. Nominating "Appellate Authority" by notification in all Districts in case transgender identity applications are



rejected by the District Authority, with reference to Rule-9 of Transgender Persons (Protection of Rights) Rules 2020.

9. State level policy formation for rescue, protection, rehabilitation, welfare and mainstreaming of the transgender community.
10. Monitoring of schemes being implemented in State/UTs for transgender welfare.
11. Member Convener to ensure yearly meeting of the Transgender Welfare Board, issuance and keeping record of minutes of meetings and timely forwarding of the decisions taken in the meetings, to the Secretary to the Government of India, Ministry of Social Justice and Empowerment.

This list is indicative, not exhaustive.

Dated, Chandigarh
05.12.2024

Raji P. Shrivastava, IAS
Special Chief Secretary to the
Government of Punjab, Department
of Social Security and Women &
Child Development.

Endst. No.SSWCD-11/169/2024-3SS(e-774888)/158 Dated.
Chandigarh 04/02/2025”

4. In view of the above development, since the grievance of the petitioner has already been redressed, no further order is required to be passed.

5. Disposed of accordingly.

3rd April, 2025
'raj'

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned: Yes No

Whether Reportable: Yes No