

# **Through the Cracks of the Gendered World: A Critical Analysis of Kerala's Transgender Policy**

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Seventy years after Independence, it was only in 2019 that the Transgender Persons (Protection of Rights) Act was passed in India. Following this, many states formed Transgender Welfare Boards with a view to protecting the rights of the trans people, ending discrimination and violence against them, and empowering the community. It was the State of Kerala which was the first to formulate a Transgender Policy in 2015, paving way for its invisible community to come out. Nevertheless, this ad hoc policy framework was incapable of addressing the concerns of a group which is both homogeneous and diverse. This paper examines how far the state government has internalised the welfare measures recommended by the Apex Court in NALSA Judgement and the Transgender Persons Act, 2019 in its State Policy. The paper critically analyses whether the welfare measures adopted by the state and stated in its policy have been realised, if not, what are the factors affecting the accessibility of the schemes or their effective implementation. A qualitative descriptive study has been conducted to assess the impact of the policy upon the target population.

**Keywords:** Public policy, transgender policy, welfare schemes, effectiveness, Impact Evaluation, Transgender Act.

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Public Policy has a tremendous impact on the social, economic and political conditions of a society and is considered to be a dynamic process, since it has to operate under changing conditions. Though the making of public policy demands the involvement of non- governmental agents, including the stakeholders, it is the government which has the upper hand in framing the policy. Institutional and structural factors define the role of those involved in policy making (Wong, 2016, Heidenheimer et al., 1990). The newer a policy is, the higher the risk. Once a policy is legitimised, it must be properly implemented and administered to bring in the desired result. Measuring the effectiveness of an implemented policy is as important as its implementation. The importance of policy analysis lies in the fact that it keeps the government informed of the changing social and political conditions, and the need for the policies to be revised for addressing the growing demands of the society (Simon, 2015). Policy evaluation has been defined by Theodoulou and Kofinis (2004) as a process by which general judgements about quality, goal attainment, program effectiveness, impact and costs can be determined. Policy evaluation, according to them, is a critical stage where the effects of the policy and the result, whether positive or negative, can be determined, the consequences and the achievement measured (pp.191-92).

Evaluation is a logical process which aims at finding the disparity between the concept and the outcome. It necessitates a pluralistic approach based on what kind of policy is being evaluated and the objectives of analysis. For example, Suzanne Mettler and Mallory SoRelle's 'Policy Feedback Theory' discusses how policy influences politics and vice versa. Yet another novel approach to policy analysis is the one developed by Carol Bacchi (2009) which is known as the WPR Approach (What's the problem represented to be?). She argues that policies constitute 'problems' rather than reacting to 'problems'. So the focus is on how the problem is represented in the policy (Bacchi, 2009). Sadler's framework for analysing policy effectiveness was based on three criteria called the 'theory of effectiveness triangle'. He uses three generic criteria to evaluate effectiveness which are procedural, substantive and transactive (practice, performance and proficiency). It was expanded to 'circular effectiveness cycle' by Baker and McLelland (2003, Pradhan, Su, Fu, Zhang, Yang, 2017), through the addition of another criterion, i.e., normative(purpose). This framework was later used by Neera Shrestha Pradhan et al. and Chaunjit Chanchitpricha for analysing the effectiveness of policy implementation connected to environmental issues. The effectiveness of a policy is measured based on how "a policy works from all the four aspects of the circular effectiveness cycle" (Pradhan, Su, Fu, Zhang & Yang 2017, p. 65). Effectiveness as defined by Sadler is "how well something works or whether it works as intended and meets the purposes for which it is designed" (1996, p.37). There are four types of policy evaluation identified by Theodoulou and Kofinis: Process Evaluation, Outcome Evaluation, Impact Evaluation and Cost-Benefit Evaluation. The objective of all the four methods is to evaluate the effectiveness of a policy in different ways, from how it can be better implemented and delivered to the comparison of cost associated with a policy and the benefits generated. (Theodoulou & Kofinis, 2004).

The paper will evaluate the effectiveness of the Transgender Policy and how far it meets the various demands of the community. The stakeholders' familiarity of the welfare schemes, their access to these schemes, the various factors affecting the accessibility will be critically analysed, including the in/equality of benefits. How far the state government has internalised the welfare measures recommended by the Apex Court in NALSA Judgement and the Transgender Persons Act, 2019 in its State Policy will be the area of focus. Assessing the disparity between the initial policy goals and those achieved after its implementation is crucial in policy evaluation. The paper will also make a comparative analysis of the welfare measures adopted by the state with some of the progressive measures adopted by a few other states.

### **Methodology**

Impact Evaluation is better suited to this study since it aims at evaluating whether a policy is achieving the desired or intended impact, as envisioned by the policy actors. It is also concerned about the target population (who are affected or benefited by the policy), whether they are receiving the programme appropriately. It includes theoretical goals of the policy, the actual goals, the objectives of the policy<sup>1</sup>, the results and whether they are positive or negative, in effect.

<sup>1</sup> There can be a number of factors that affect the objective analysis of a policy, like time, the sample collected, political ideologies, experiences of the participants, measuring instruments etc. (Peters, 2013, p.190). Nevertheless, attempts had been made to make it as objective as possible.

This framework can be connected to the one developed by Baker and McLelland (2003) which focusses on the procedures followed, how the policy objectives were met and whether the objective of the policy was realised. The study of public policy necessitates a fusion of analytical and normative perspectives. A qualitative descriptive method has been used to assess the impact of the Transgender policy in Kerala, and how far the goals have been realised. The tools used for the primary data collection are interview schedule and survey questionnaire, done through snowball sampling method. Digital archives, policy documents, legal documents and media reports have been used as secondary data. The study draws on interviews conducted by the author with five levels of informants<sup>2</sup>, viz. members from Transgender Welfare Board, trans activists, members from the community, educated transgender people who lead an independent existence away from the community and legal professionals.

### **Background**

The NALSA, the most important statutory body decided to undertake the cause of the transgender community only because they belong to the under privileged section of the society, and that their fundamental rights, as humans and citizens of the country were denied. It was in 2014 (NALSA Vs. Union of India case) that a landmark decision was taken in the history of India. The apex court recognised trans people as third gender (which again is a much debated term) and declared that they cannot be discriminated on the basis of gender. The Supreme Court had also recommended the implementation of the policy at the Central and State levels. Following this, The Transgender Persons Act was passed by the present government in 2019, a revolutionary act in itself, despite the opposition from the community due to the various regressive clauses mentioned in it. Following the Supreme Court verdict of 2014, The State of Kerala was the first in implementing the Transgender Policy in 2015, much before the Transgender Persons Act was passed. A survey was conducted by the Bangalore based NGO, Sangama to identify trans people across the state, and the policy was framed after a detailed analysis. Till then, many transgender people from the state had migrated to different parts of the country in search of their identity groups, the most common being the hijra community. In Kerala, the transgender community lived an almost invisible existence before 2015. The NALSA Judgement and the State Transgender Policy paved way for many to return to their native land, to establish their identity and with the hope of leading a life with dignity. People who had remained within a closeted identity till then secured the confidence to come out. For the effective implementation of the policy, a three tier monitoring system was framed. The Department of Social Justice is at the apex, under which a TG Justice board was formed. The Gender Cell in the Department of Social Justice supports the TG Justice board in monitoring the activities across the State. District TG Justice

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<sup>2</sup> Since the trans community is a minority group, and many are unwilling to cooperate, only 20 responses could be collected through survey questionnaire. Eight members from the community and two legal professionals were interviewed. Hailing from one of the most vulnerable communities, most of the participants chose to keep their identity concealed. Where the identity of the interviewees are not revealed, it has been cited as informant A, B, C etc. Viji Rahman and Shine are the two among the informants who marked their willingness in revealing their names. Advocate Harish Vasudevan, the Amicus Curiae appointed by the High Court of Kerala in *KabeerC v.State of Kerala* Case to study the problems faced by the transgender community, was one of the legal professionals who was interviewed

Committee was also formed in each district to oversee the implementation of the policy in the respective districts.

### **Transgender Persons (Protection of Rights) Act, 2019.**

The Transgender Persons Act has recommended some welfare measures to be adopted by the States for the upliftment of the community. They are; the appropriate Government shall take steps to secure full and effective participation of transgender persons and their inclusion in society; the appropriate Government shall take such welfare measures as may be prescribed to protect the rights and interests of transgender persons, and facilitate their access to welfare schemes framed by that Government; the appropriate Government shall formulate welfare schemes and programmes which are transgender sensitive, non-stigmatising and non-discriminatory; the appropriate Government shall take steps for the rescue, protection and rehabilitation of transgender persons to address the needs of such persons; the appropriate Government shall take appropriate measures to promote and protect the right of transgender persons to participate in cultural and recreational activities. (India Code, 2019)

### **From 2015 to the Present: An Overview**

The census of 2011 was India's first census incorporating the trans people, moving out of its binary gender system. It was estimated that there are/ were around 4.88 lakh trans people in the country. The number must be much higher, given that it was before the NALSA Judgement. While the census reports only 3902 transgender people in Kerala, the 2015 survey reported that there are over 25000 trans people here. In the transgender survey conducted in 2014-15 in Kerala, 99 per cent among the respondents are male- to- female transgender people. The visibility of female-to-male transgender is much lower when compared to the other group. This has not been updated with further surveys, which would require the inclusion of Female- to-Male trans people and other gender variant people to get the accurate number. (Poornima, 2022). In the initial period, getting the identity card was a serious problem for the trans people. Through the interviews and the questionnaire circulated among the transgender people in Kerala, it could be estimated that a percentage of 42.9 have marked that they faced difficulty in getting the identity card, while only 35.7 per cent replied that they got the identity cards without any technical issues. Still there are many trans people who haven't got it due to various reasons. There are many who are uninterested in applying or apprehensive about the consequences of their identity being revealed, says Rahman V., a trans activist and member of the District Transgender Justice Committee (personal communication, May 4, 2022). Though it was a complicated process earlier, most of the interviewees affirm that it is easily issued through online application now. While transgender assaults and violence against the community by both the police and the public during the years 2017 -20 was widely reported in media, a decline in the rate of such hate crimes could be seen after 2020 which was further affirmed by the interviewees, though the reason cannot solely be attributed to the changing attitude of the society.

There are cases still, but not as before. I do not know why they are not being reported...whether they are being silenced... For a long time we have been facing ill -treatment from the part of the police but there are policemen who

are empathetic towards our cause. More than mistreatment it is their total disregard in our cases that hurts us. Justice is being denied to us in many cases like Shalu's. But I would say that the attitude of the police has definitely changed during the recent times (V.Rahman, personal communication, May 4, 2022).

What has gained more attention in recent times is domestic violence, harassment from one's own family, the situation being the COVID 19 scenario. Many transpeople had to return to their houses due to lack of income and poverty during the pandemic. That there were no shelter homes for the community is the primary cause of this misery. "With the closure of the 'Snehakkoodu' shelter homes across the State, many are finding it hard to manage the expenses of their rented houses"(Joseph 2021). Various shelter homes have been closed down due to improper administration. The only shelter home for the transmen in Kerala, 'Thanal' is no longer under operation, according to one of the interviewees, a transman. "What you should know about the shelter homes is that they are meant only for a short stay of three months. Most of them who seek space in the shelter homes are people who are thrown out of their families and those who do not have a job or source of income. So, what do they do after that?" (V. Rahman, personal communication, May 2, 2022). A Kozhikode based cultural society for the transgender persons' welfare, 'Punarjani', reported in 2021 that there were around 300 transpeople in the district who were at the mercy of the state government for survival (Joseph 2021). The free kit supplied by the civil supplies department was the only relief for many in meeting their basic need for food. Still, the identity has to be established officially to avail any kinds of schemes or benefits, while many do not have identity cards, ration cards or even proper address. "The kits were made available every month, but a person like me who lives in a rented room meant for bachelors, and without basic amenities, it seemed to be of not much use"(Shine, personal communication, May 5, 2022). The Kochi Metro Rail's attempt of appointing twenty three transpeople as its staff was a revolutionary move which garnered much media attention, but the project failed miserably. Most of the appointed transgender people had to quit the job, since it was a low paid one with which they couldn't rent a room in a place like Kochi, worsened by the discriminatory attitude of the owners. V. Rahman said, "It was a period of transphobia in Kochi. Many transwomen were being arrested daily without any reason. So when KMRL invited application, many of us decided not to apply so that our sisters in Kochi get the job. Only later we came to know that it was not direct recruitment, but they were appointed under Kudumbasree"( personal communication, May 4). This is an example of how the hype created by the media can mislead both the trans community and the public. "When people quit job, it was widely discussed that we do not stay in jobs because of our interest in doing sex work. The hard realities are never understood by anyone" (Informant A, personal communication, May 5).

The opinion towards the Social Justice Department's scheme of 'Financial aid to Transgenders for Sex Reassignment Surgery' (SRS) was a mixed one. While most of the participants were satisfied with it, some of them were against giving such an aid. There are two reasons for it: 1) the economic status of the community people. 2) it affects their health adversely. While many transpeople have no/meagre income, they have to find money for the surgery before they get it refunded.

Surgery is not the only issue of our community. Why does the government promote it? There are other serious issues like lack of education, shelter, job etc. Those are to be addressed first. One who loves one's body need not undergo surgery for being a man or a woman. The feeling of belonging to a particular gender is something related to the mind, and not of the body. 15-20 years after the surgery, the health deteriorates. Even hormone therapy affects one mentally and physically. The concept of beauty promoted in today's consumerist society compels many in the community to go for cosmetic surgeries and whitening treatments. To be alive is more important. So in my opinion, the government should take measures in creating that awareness (V.Rahman, personal communication, May 2, 2022).

Nevertheless, many studies (Dasti 2002, Begiæ, Korajlija, Jurin, 2014) and research argue that transgender people experience better mental health post transition surgery. The collected data for the study leads to the conclusion that many transgender people in Kerala show a strong desire to undergo transition surgery or hormone therapy to align their sex with the gender role opted. The demand for cosmetic surgery is also surging among the trans community. The only question to which 50 per cent of the participants answered affirmatively is whether they received any financial aid for Sex Reassignment Surgery or for treatments after that. While 21.4 per cent recorded that they did not receive, 28.6 per cent responded that they did not apply for it. The financial aid for SRS is perceived by many in the community as one of the highlights of the transgender policy. A descriptive analysis of the responses collected vaguely leads to the conclusion that the failure in the effective implementation of many other welfare schemes mentioned in the policy often go unnoticed or balanced due to the attractiveness of this scheme.

### **Different Welfare Schemes and the Responses**

The policy supports the education of the transgender students through programmes like Samanwaya Continuing education. A budget of Rs. 35 lakhs was consolidated for providing scholarship to transgender students studying in fourth, seventh, tenth and higher secondary classes. It also includes providing shelter homes during the period and employment training. Two seats were reserved for transgender students in all universities and affiliated colleges, and the upper age limit relaxed. Only around 14.2 per cent of the respondents marked 'yes' for availing educational scholarship while 42.9 per cent marked that they did not apply. As gathered from the personal communication, many transgender people are reluctant to continue their education because of their harrowing experiences at school in the past. Those who got the scholarship said that an amount of Rs. 4000 was given as hostel fee every month, apart from the course fee.

One of the major steps under the policy initiated by the government in 2016 was the concept of a G Taxi with an aim of ending social stigma and to help them earn a living. Ten transgender people underwent training with an intention of procuring a car with government support, but there were no further developments. "This may not be easy since the banks will insist on collateral security, which most transgenders may not be able to provide as they do not have family support" (Devasia, 2016). Driving Training programme for better self-employment opportunities was again introduced in 2017 for which Rs. 5,95,000 was allocated. While some of the interviewees said that they could get the license, the member of the Transgender

Welfare Board from Malappuram District said that the district was the least considered when it comes to financial aid and other employment opportunities. Only 14.3 per cent of the respondents had received any aid under self-employment schemes. Skill development training was also received only by a few people among the respondents. Apart from that, sewing machines were distributed among a few trans people under financial aid for 'Self-employment scheme for Transgenders'. In a government order issued in 2018, Rs. 3 lakh was allocated for providing financial assistance for self-employment for transgender people. One of the interviewees, an educated transman said that he applied for the loan but did not get, despite possessing the transgender identity card. None of the participants in the interview had received any aid under 'Karuthal' scheme, which was introduced with an aim of rendering immediate support to transgender people during crisis or emergency situations. Sakalyam, a vocational training programme, with stipend to purchase study material was also launched in April 2022 with a budget allocation of Rs. 25.2 lakh, though none of the respondents have applied for it so far. A small percentage of 7.1 responded that they received skill development training. When the participants were asked whether they could get all the benefits mentioned in the policy, 71.4 per cent responded 'partially'. Out of a total of 63 schemes introduced by the Social Justice Department in 2021, 17 list transgender explicitly as beneficiaries.

### **The Impact of the Policy on the Target Population**

The State Transgender Policy of 2015, as gathered from the above responses has to a great extent helped the trans community in establishing their identity and rights, but many in the community have only partially benefited. A majority still live in abject poverty due to lack of education and employment. Those who are educated could not find a permanent job due to their trans identity, which is a clear evidence of discrimination being rampant. "I couldn't hold on to a job for more than six months", said one of the educated interviewees, a transman. (Informant C, personal communication, May 4) "Discrimination still persists but I don't pay heed to it", said another who is an entrepreneur (Informant D, personal communication, April 28). Regarding the policy, there was a mixed response. A few participants gave positive reviews and they are hopeful about the change that the policy can bring in gradually. The policy could bring improvement in the field of education, according to one of the participants. "Though the goals or objectives of the policy is good, it is not a great success at the implementation level" (Informant E, personal communication, April 28, 2022). "The government is introducing many welfare measures, but they do not reach the hands of the deserved, or many of us are not aware of those measures" (Informant F, personal communication, May 4, 2022). Some of the interviewees positively responded to the measures taken by the government to support the educational needs of the transgender students.

In November 2021, the High Court of Kerala appointed an Amicus Curiae to study the transgender issue and the implementation of the policy objectives in *Kabeer V. State of Kerala & ORS.* Case. Aneera Kabeer filed a Public Interest Litigation Case at the backdrop of COVID 19 scenario. It was mentioned that the trans community, including the petitioner, suffered a violation of the Articles 14, 15 and 21 of the constitution and that they were discriminated against in the grant of relief measures during the lockdown. "The writ petition sought for measures taken by the government for the distribution of ration, medicine access to medical treatment etc. to the

transgender community in Kerala' (South Asian Translaw Database).

The learned Amicus Curiae submitted that though the government in their counter affidavit has stated that adequate steps have been taken for the implementation of the Transgender Persons (Protection of Rights) Act, 2019, according to him, the same are only in paper and the provisions of the Act, as well as the judgement of the Supreme Court in *National Legal Services Authority v. Union of India and Others* reported in [(2014) 5 SCC 438] have not been implemented in letter and spirit. ( *Kabeer V. State of Kerala & ORS*, 2021, p.26).

Upon my preliminary enquiry with members of District Transgender Justice Boards and State Board, it is found that the welfare schemes provided by the State are not adequate to meet the demands. According to the Board Members, sufficient budgetary allocation is not made to provide financial assistance to transgenders through various welfare schemes already declared. The meeting of the District Boards and State Board is also not being conducted regularly to meet the purpose of the same. It is learned that, in the year 2020, no single meeting is conducted by the State Transgender Justice Board. No proper publicity is given by the State regarding the rights of the transgenders and the process of obtaining identity cards, in compliance with the Interim Order dated 13.01.2020 of this Hon'ble Court. Basic sanitation facilities are not provided in public spaces or institutions (*Kabeer V. State of Kerala & ORS*, 2021 p.25).

The transactivist and the District Welfare member, during the interview, had the same opinion regarding the frequency of the meetings held. The basic sanitation facility, like a public toilet, has not been made available or constructed for transgender people so far in the state. One of the interviewees, a legal professional opined that the Judiciary should exhibit genuine interest in making the state implement the policy in an effective way. According to informant G, many do not get loans or financial aid under various schemes due to lack of proper address. Many of them are unable to produce the documents demanded by the authorities. "Despite having the documents, it is a tedious task which needs regular follow -ups. We are unable to do it at the cost of our daily income. Some sort of measures should be taken up by the government to make these schemes easily accessible for trans people, considering our situation" (Informant G, Personal communication, May 8, 2022). "For the government officials, everything is a part of their job, to get recognition during their service period. Many of them are least considerate about our cause and make the process complicated" (Informant H, personal communication, May 7, 2022). The High court too has recognised the same and realised the urgency of issuing the gender identity cards and ration cards. The court directed the state to take immediate measures to ameliorate the plight of transgender people in Kerala, to provide the basic needs and reserve seats in educational institutions and public employments to the community. The Department of Social Justice was asked to take census and collect the details of the transgender people in Kerala.

### **Measures Adopted by Some of the Indian States Recently**

Most of the current studies on Transgender law and policy have made remarks on the shortcomings of the Transgender Persons Act of 2019, but at the same time



acknowledge the measures taken by the states of Kerala, Tamilnadu, Karnataka, Gujarat and Odisha. Apart from ending social discrimination and stigma, education and employment are two of the important needs of the hour for the transgender community. As per the reports of 2021, 12 states and UTs have constituted The Transgender Welfare Boards. The most notable welfare measure adopted for the transgender people was that of the Karnataka Government's 1% reservation for transgender persons in any service or post in all categories of employment. One of the positive moves towards ameliorating trans discrimination and reducing violence against them is to recruit the people from the community in police force and public services. The governments of Chhattisgarh and Bihar decided to recruit transgender people in police force in 2021 and thirteen people entered the service as constables in Chhattisgarh. Tamilnadu government has ordered age relaxation for transgender people applying for posts in the State's police subordinate services and had its transgender Sub Inspector in 2017. Though it was the first state in the country to form a Transgender Welfare Board, the state has still not implemented a Transgender Policy. Assam became the first Indian state to add transgender as an identity category for people seeking civil service jobs and 42 candidates attended the entry exam. Even though numerous schemes list transgender as beneficiaries, only two national level schemes, from the Ministry of Social Justice and Empowerment, have access data (Uptake of Social Protection p. 23) which are Means cum Merit scholarship and Post Matric Scholarship. Different states have implemented their own education schemes for the transgender students.

Some of the measures adopted by the Uttar Pradesh government in the past three years, after The Transgender Persons Act, 2019, are worth noticing. The government proposed a budget of Rs. 200 crore for the welfare of the community in April 2022. The 'Garima Grah' for elderly trans people, establishing the country's first university for transgender students, the revision of inheritance law to include transgender people, providing basic amenities in their colonies, construction of public toilets for transgender are some of the landmark projects. Projects of these kinds are lacking in Kerala, though the Transgender Policy was introduced and Welfare Board formed in 2015, much before UP formed its Welfare Board. The state of UP records the highest trans population in the country which is 1,37,465 while the number of trans population in Kerala was only 3902, as per the 2011 census. Despite the population being less, the welfare measures and the process of implementation are not adequate enough in achieving the goals of the policy, as per the data collected.

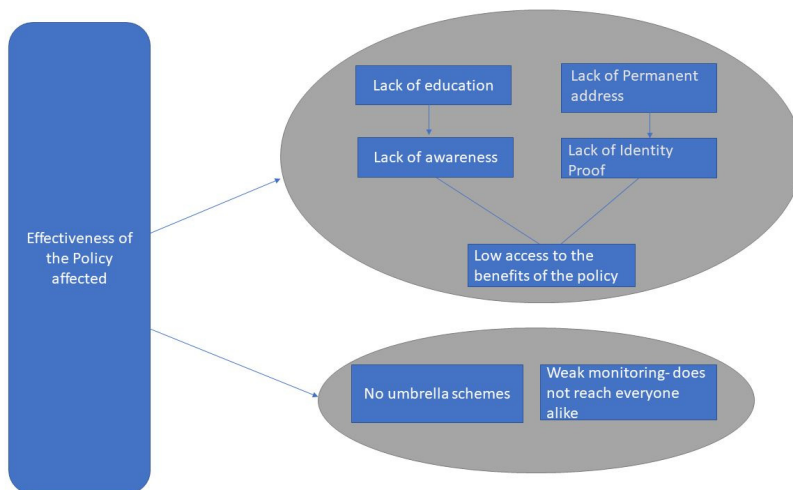
### **Challenges Faced by the Community in Accessing the Benefits of the Policy**

One of the parameters of the Impact Evaluation framework put forward by Theodoulou and Kofinis(2003) is assessing whether the target population is receiving the programme appropriately. A policy's success or proficiency is based on achievement of the goals set at the time of implementation. Consequentialist theories state that "right public policy actions are those that produce the greatest happiness, pleasure or welfare for the greatest citizens" (Buye, 2021, p.3). Though the State Transgender policy has been able to usher in a great change in the living conditions of one of the most vulnerable and marginalised communities in the state during these seven years, it is yet to go a long way. Social changes can happen only gradually, but to achieve the goal both the Executive and the Judiciary have to go hand- in-

hand, monitoring the implementation of the policy.

A few reasons for the low access to the benefits of the Policy are lack of awareness, lack of gender identity proof, lack of proper monitoring, discrimination, the negligence on the part of the officials, insufficient budgetary allocation for the schemes and welfare measures, inadequate financial support from the centre and disinterestedness on the part of trans people themselves. From the questionnaires and interviews, it could be understood that many trans people have not applied for various schemes which they are eligible for. Two reasons could be attributed for the inaccessibility of the schemes 1) the initiatives on the part of the government in creating proper awareness are less 2) the educational status of many of the trans people is very low that they do not have sufficient knowledge of the schemes and the process of applying.

**FIGURE 1:** Factors affecting policy effectiveness



### Recommendations

Even the ICESCR committee refers to the lack of comprehensive studies for the purpose of making any conclusive recommendations on transgender rights since most of the laws are being framed based on individual cases filed (Agrawal, 2020). An umbrella scheme to include all transgender people, as recommended by the Amicus curiae, has to be introduced. Meetings of the State and District Transgender Justice Committees should be held at least once in a month to facilitate the effective implementation of the policy and to know whether it's equitably distributed. More education and employment schemes are to be introduced since financial stability can ameliorate the situation to a great extent. Gender sensitisation programmes are to be given to the administrative officials and to the public. Above all, proper awareness programmes have to be conducted for the transgender people to keep them informed of various schemes and benefits. One of the participants in the interview mentioned about the lackadaisical attitude of the trans people themselves which demotivates the officials. The attitude of the community members can be changed by educating them about the welfare measures, making them aware of their legal rights and by relaxing the official procedures. The study shows that educated trans

people are more aware of the various schemes and welfare measures available to them, which again leads to the conclusion that the policy should focus more on the education of the trans people.

### Conclusion

The study has made an attempt to maintain a balance between the interests of the individual, the community and the state as a whole by analysing the objectives of the Policy and the welfare measures adopted, its implementation, its impact upon the target population and how far the goals have been achieved. The paper has assessed the current status of the state policy, at the same time, has recommended for an all -inclusive policy. Apart from a legal perspective, a social process, integrating both the mainstream and the trans community, is essential to achieve the desired end. In spite of many progressive measures, the community when viewed from a broader perspective, needs significant attention which can be acquired only through effective performance and regular monitoring of the welfare measures implemented. A transformation in public discourses is needed for the effective implementation of the policy.

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