

सबको शिक्षा

सबको काम

सबको स्वास्थ्य



**भारत की जनवादी नौजवान सभा**  
**DEMOCRATIC YOUTH FEDERATION OF INDIA (DYFI)**  
**DELHI STATE COMMITTEE**

**To,**

The Public Information Officer (PIO)  
Ministry of Social Justice and Empowerment  
Government of India  
Shastri Bhawan, Dr Rajendra Prasad Road, New Delhi - 110001

**Subject:** Application under the Right to Information Act, 2005 – Information regarding compliance with the [Pre-Legislative Consultation Policy \(PLCP\)](#) issued by the Ministry of Law and Justice (D.O. No. 11(35)/2013-L.I, dated 5th February, 2014) in the drafting of the Transgender Persons (Protection of Rights) Amendment Bill.

**From:** Democratic Youth Federation of India (DYFI), Delhi State Committee

Respected Sir/Madam,

Under the provisions of the Right to Information Act, 2005, we seek the following information regarding whether the Ministry of Social Justice and Empowerment followed the Pre-Legislative Consultation Policy (PLCP), in connection with the drafting and introduction of the **Transgender Persons (Protection of Rights) Amendment Bill** (hereinafter "the Amendment Bill").

The PLCP requires that every Ministry/Department should follow a pre-legislative consultation process before any legislative proposal is submitted to the Union Cabinet. The said policy contains 12 specific requirements. We seek information on the requirement as set out below:

**PART A – INFORMATION SOUGHT POINT-WISE UNDER THE PRE-LEGISLATIVE CONSULTATION POLICY**

**Proactive Publication of Proposed Legislation**

- Was the proposed **Amendment Bill** proactively published by the Ministry on its official website and through any other means, prior to submission to the Cabinet?
- If yes, provide the URL/link, the date of such publication, and copies or details of any other means used for such publication.

- If no, state the reasons why such proactive publication was not carried out.

### **Publication of Draft or Key Information for a Minimum of 30 Days**

- Was the draft **Amendment Bill**, or at minimum, the following information placed in the public domain for a minimum period of thirty (30) days?
- Brief justification for the proposed legislation – provide copy or confirm publication with dates.
- Broad financial implications of the proposed legislation – provide copy or confirm publication with dates.
- Estimated assessment of the impact on fundamental rights – provide copy or confirm publication with dates.
- Estimated assessment of the impact on the lives and livelihoods of the concerned/affected people (specifically, transgender persons) – provide copy or confirm publication with dates.
- If any of the above were not published, state the specific reasons for non-compliance with each.
- State the exact dates between which the draft/information was available in the public domain.

### **Disclosure Through Print or Electronic Media for Legislation Affecting Specific Groups**

- As the **Amendment Bill** directly affects the transgender community, a specific and identifiable group of people, was the proposed legislation documented and disclosed through print media, electronic media, or any other appropriate means to give wider publicity to reach the affected community?
- If yes, provide details of all such means: names of publications/channels, dates, copies of notices/advertisements, and languages used.
- If not, provide reasons for non-compliance.

### **Publication of Summary of Public Feedback on Ministry Website**

- Was a summary of feedback/comments received from the public and other stakeholders on the **Amendment Bill** placed on the official website of the Ministry, as required under the PLCP?
- If yes, provide the URL/link where such a summary was published, the date of publication, and a copy of the summary.
- If not, state the reasons for non-compliance.

### **Stakeholder Consultations**

- Did the Ministry, in addition to public domain disclosure, also hold consultations with stakeholders, including transgender persons, collectives, civil society organisations, and other affected groups on the **Amendment Bill**, as envisaged by the PLCP?
- If yes, provide: dates and venues of all such consultations; names and institutional affiliations of all participants (including representatives of the transgender community); copies of agenda, presentations, and minutes of each meeting; copies of submissions/representations received during these consultations.
- What was the mode and degree of participation adopted, and what were the criteria used by the Ministry to determine the same, given the significant potential impact of the legislation on transgender persons?
- If no consultations were held, state the specific reasons for this decision.

### **Referral to Ministry of Law and Justice for Vetting**

- Was the draft **Amendment Bill** referred to the Ministry of Law and Justice for vetting after the completion of pre-legislative consultation and inter-ministerial consultations, as required under the PLCP?
- If yes, provide: the date of such referral; a copy of the communication made; and the response/vetting note received from the Ministry of Law and Justice.
- Did the Ministry of Law and Justice, while examining the draft, verify and confirm that the Ministry of Social Justice and Empowerment had complied with the pre-legislative consultation process?
- Provide a copy of such verification/certification by the Ministry of Law and Justice.
- If no referral was made, state the reasons.

### **Summary of Stakeholder Feedback in Cabinet Note**

- Was a brief summary of feedback received from stakeholders on the **Amendment Bill** – including Government Departments and the public – along with the Ministry's response to such feedback, included in the note for the Cabinet accompanying the draft Amendment Bill, as required under the PLCP?
- Provide a copy of such summary (or the relevant portions of the Cabinet Note containing this summary, to the extent disclosable under the RTI Act).
- If no such summary was included, state the reasons.

### **Reasons Recorded If Pre-Legislative Consultation Was Not Held**

- If the Ministry took a view that it was not feasible or desirable to hold pre-legislative consultation (fully or partially) on the **Amendment Bill**, were the reasons for such a decision recorded in the Cabinet Note, as required under the PLCP?
- Provide a copy of such recorded reasons (to the extent disclosable).

- If no reasons were recorded and consultation was nonetheless skipped, provide clarification.

## **PART B – ADDITIONAL INFORMATION**

### **Overall Compliance Certification**

- Has the Ministry conducted any internal review or assessment to confirm full compliance with the PLCP prior to introducing the **Amendment Bill**?
- If yes, provide a copy of such review/assessment. If no, state the reasons.

### **Names and Designations of Responsible Officials**

- Provide the names and designations of officials responsible for overseeing PLCP compliance in the Ministry for this **Amendment Bill**.

### **File Notings and Correspondence on PLCP Compliance**

- Provide copies of file notings, inter-departmental communications, and correspondence that specifically relate to the Ministry's decision-making on how (or whether) to comply with each requirement of the PLCP for this **Amendment Bill**.

**We request that all information be provided in electronic format (PDF) wherever available. As this matter directly concerns the rights and dignity of a marginalised community and involves significant public interest, we request strict compliance with the timeline prescribed under the RTI Act, 2005.**

### **Applicant Details**

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**Organisation:** Democratic Youth Federation of India (DYFI), Delhi State Committee

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**Date:** 25 March 2025

**Signature:** 

**cc:** Sudhansh Pant, Secretary, Department of Social Justice and Empowerment

**cc:** Vinod Sharma, PPS to Secretary, Department of Social Justice and Empowerment