



Report on

PANEL DISCUSSION on “Rights of Third Gender: A way forward to Inclusivity”

Date: Friday, 22nd November, 2023

Venue: Bosch Lab, A Block, K.R.Mangalam University

Event Type: Panel Discussion

Mode of Activity: Offline

Target Group: Faculty and Students of K.R.Mangalam.

Coordinators: Mr. Thomas Monteiro and Dr. Tilottama

Organised by: School of Legal Studies in Collaboration with Centre of Human Rights and Gender Sensitization and Safety Committee.

Number of Participants: 14 (expert panellists both External (9) and Internal (5)

Number of Attendees: 50 (Non-panellists)

Introduction:

School of Legal Studies in Collaboration with Centre of Human Rights at K. R. Mangalam University organised one day panel discussion on “Rights of Third Gender: A way Forward to inclusivity” on the 22nd November, 2023. The chief guest of the event was Prof. (Dr) Paramjit S. Jaswal (Vice Chancellor, SRMU). Prof. (Dr.) Ankush Mittal, Vice Chancellor and Prof (Dr.) Mehraj Uddin Mir (Chair Motilal Nehru Chair) also delivered the inaugural address. The panellists for the discussion were Dr. Monika Malik (HOD & Dean of Dept. of Law, CUH), Prof. (Dr.) Poonam Agrawal (Professor and Joint Director of NCERT), Prof. Dr. Aqsa Sheikh (Professor, Jamia Hamdard University), Dr. Eveleen Kaur Sidana (University of California, Davis), Dr. Geeta Mishra (Associate Professor at DACEE, University of Delhi), Bella (Project Manager: Garima Greh, Mitr Trust), Ms. Neelima Paswan, (Ph.D Scholar from Jamia Millia Islamia), Prof. (Dr.) Shah Alam, (Professor of Dept. of Psychology, AMU), Dr. Mamta Shankar (School Coordinator, SPRS), Dr. Shazia Siddiqui (Assistant Professor, SOLS), Ms. Kritika Kakkar (Assistant Professor, SOLS), Ms. Deepali Bansal (Assistant Professor, SOLS), and Mr. Thomas Monteiro (Assistant Professor, SOLS).

Content:

The panel discussion commenced with the ceremonial Lighting of the Lamp followed by felicitation of the guests. Mr. Chetan Mohan, who adeptly introduced the event and welcomed the participants and attendees followed by an address by Mr. Thomas who also welcomed and acknowledged all the expert panellists.

The next address was by Prof (Dr.) Mehraj who in a thoughtful addition to the panel discussion, underscored the significance of the topic at hand and emphasised the need for open dialogue. His message centred around the universal humanity shared by all, irrespective of gender identity. He pointed out how the law books address 'He' and the explanation given is that 'He' includes 'She'. He emphasised on the idea of being inclusive.

This was followed by an address by Prof. (Dr.) Ankush Mittal, the Vice Chancellor of the university. He injected a dose of actionable insight into the panel discussion. His focus on practical action underscored the importance of moving beyond rhetoric to tangible steps in fostering inclusivity and dismantling discriminatory norms. Dr. Ankush's emphasis on pragmatic solutions serves as a rallying call for transformative change. He also announced that K.R Mangalam University will open a new centre for the upliftment of third gender.

Following this Prof. (Dr) Paramjit S. Jaswal gave insights into the historical and cultural dimensions surrounding transgender individuals. He brought to light the paradoxical nature of societal perceptions, where on one hand, they are revered as conduits for divine blessings, yet on the other side, they face discrimination. He drew a clear distinction between gender as a social construct and sex as a biological one, unravelling the stereotypical approach embedded in our society. The poignant reminder that individuals of the third gender are, fundamentally, human beings resonated throughout his discourse. He passionately argued against discrimination, weaving in the threads of legal rights and duties. He emphasised the importance of treating everyone equally and condemned discrimination, showing a dedication to inclusivity. He supported his stance by referring to different legal judgments related to third gender individuals. Concluding his speech with a beautiful poem, Dr. Paramjit captured the essence of the discussion with eloquence.

This was followed by the start of the first technical session. The panel discussion, chaired by Dr. Poonam, focused on crucial aspects of transgender rights, featuring insightful presentations from various speakers. Dr. Monika highlighted the global commitment to legal and human rights, urging reflection and change as per foundational norms. She focussed on the legal journey of recognition of the third gender highlighting various articles of the constitution. history of section 377 (IPC), her own experience of working with HIV patients.

Dr. Geeta Mishra congratulated KRMU for conducting this discussion. She underscored the importance of genuine inclusion, emphasising the challenges faced by transgender individuals in the education sector. She posed an important question of whether the inclusion is genuine or just tokenism. She talked about how the transgenders are admitted to various institutions but very soon there are drop outs because the institution is not prepared or fails to make efforts to ensure the acceptance of transgenders is less challenging. Dr. Geeta also gave references from Ramayan, Mahabharat in support of acceptance of transgenders. She said transgenders were revered during the Mughals. It was the British rule and their policies that led to the persecution and current situation of transgenders in India. She also emphasised on the fact that a holistic inclusion is needed.

The next speaker, Bella shared a transformative personal journey, emphasising the importance of knowledge and education in combating discrimination. She emphasised on the slow yet impactful change brought about by knowledge and education. She was very clear about the fact that it is the lack of opportunities that make the transgenders get involved with begging, prostitution or even crimes, as these are the only opportunities available to them. However, she was also hopeful that with the new act and discussion and general discourse on gender things will improve. She has already witnessed lives of the transgenders changing for good.

Dr. Eveleen underscored the 2030 goal of inclusivity, challenging the sustainability of rights operating as privileges. The court's official recognition of transgender as the third gender was discussed, with Eveleen pointing out implementation challenges and suggesting sustained solutions. For example inclusion in PMJAY, Ayushman Bharat, PMJDY and other such schemes of the government.

Dr. Poonam addressed the marginalisation of transgender individuals, citing the Yogyakarta principles and the NALSA judgement. The panel emphasised the importance of inclusive education and practical measures to curb the dropout rate. Issues like identity crisis and transphobia were discussed, leading to comprehensive suggestions ranging from teacher preparation to media support and many more. The panel concluded with a student-led question session, highlighting the importance of unlearning rigid thoughts. The event successfully navigated through legal, social, and educational dimensions, fostering awareness and advocacy for the rights of transgender individuals.

In the second technical session, the panel continued to delve into crucial aspects of transgender rights, focusing on healthcare, legal considerations, and sociological perspectives. Dr. Mamta opened the session, emphasising on the need for experiential

inclusion in healthcare discussions. She spoke about “Nothing about us without us”. She addressed the challenges of clubbing transgender with intersex people and even stressed on the importance of comprehensive care beyond surgeries. Dr. Mamta advocated for safe spaces, emphasising that biological sex is distinct from gender identity, a crucial consideration in healthcare.

The next speaker, Ms. Neelima Paswan, addressed the crucial need for an all-inclusive healthcare system, shedding light on the various health problems faced by transgender individuals, including hormonal issues, sexual diseases, and complications from gender affirmation surgeries. She emphasised the significance of sensitization at home and in educational institutions to combat discrimination in healthcare.

Dr. Shazia summarised critical topics such as colonisation, acts, and judgments, focusing on the inheritance rights of transgender individuals. She highlighted the discriminatory nature of current laws conforming to a binary gender structure and called for legislative changes to include transgender individuals in inheritance discussions.

Ms. Kritika discussed recent changes, providing insights into evolving legal aspects. She focused on the positive changes in the past few years. Meanwhile, Ms. Deepali delved into the provisions of the 2019 act, presenting a comprehensive analysis of the legislative landscape. She said there should be a national council to monitor and regulate policies and penalties for violation of policies.

Prof. (Dr.) Aqsa Sheikh’s paper was presented by Mr. Rameez Raja who is her Ph.D scholar. This paper contributed an academic perspective to the discourse. Finally, Mr. Thomas explored the sociological aspects, adding depth to the multifaceted discussion. The second technical session successfully provided a comprehensive understanding of the challenges and opportunities in healthcare, legal frameworks, and sociological dimensions concerning transgender rights. The speakers collectively contributed to fostering awareness and advocating for inclusive policies.

Both the sessions were followed by a closing ceremony where all the guests were thanked for taking out time for this valuable and important discussion. This was followed by a vote of thanks by Dr. Tilottama.

Conclusion:

As the session concluded, it became evident that the onus to bring about change rests not only on policymakers and legislators but on every individual. The role of law is limited when it comes to social issues. The top down approach will not work and the entire society has to come together to participate, make efforts in order to make the process of inclusion effective.

The call for sensitization, education, and inclusivity echoed throughout, reminding us that acceptance is the cornerstone of progress. This panel discussion has not just illuminated the challenges faced by transgender individuals but has also served as a catalyst for collective introspection and advocacy.

Event outcomes:

The event was highly informative, gripping and captivating. An intriguing and insightful presentation of the views of experts provided an invaluable experience to all the students. The whole panel discussion was aimed to generate a new horizon on third gender rights in particular and gender inclusivity in general. The feedback responses also suggested that the in depth discussion on inclusivity of third gender created a new horizon and awareness among students and faculty members on rights of third gender.

Images of Panel Discussion on “Rights of Third Gender: A way Forward to inclusivity”



First session of Panel Discussion: Dr. Rita doing the presentation



Lighting the Lamp



Dr. Monika receiving the memento and Certificate



Dr. Eveleen receiving memento and certificate