



PRESS INFORMATION BUREAU
(Research Unit)
Ministry of Information and Broadcasting
Government of India



**WELFARE OF TRANSGENDER PERSONS IN INDIA: SLEW OF MEASURES BY
CENTRAL GOVERNMENT IN LAST THREE YEARS**

UMBRELLA SCHEME 'SMILE' LAUNCHED IN 2022

Rs 365 Cr ALLOCATED FOR 5 YEARS for SMILE

Moving towards a Gender-inclusive society

(Ministry of Social Justice and Empowerment)

June 30, 2022

For a very long time, the transgender community in India has lived at the fringes of society. It was only after the landmark ruling by the Supreme Court in 2014, popularly known as the [NALSA judgement](#), that transgender persons were legally recognised as the 'third gender'. The Government of India, over the course of years, has made consistent and significant efforts in designing and working towards a **trans-inclusive society**. Safeguarding the fundamental right - 'to live life with dignity' under Article 21 of the Constitution, this document looks into how some of the Central Government's measures in the last few years have been furthering these rights of the community.

Status of Transgender Persons in India

The **Transgender Persons (Protection of Rights) Act, 2019** [defines](#) "Transgender person", as a person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), person with intersex variations, genderqueer and person having such socio-cultural identities as *kinner*, *hijra*, *aravani* and *jogta*.

The transgender population had never been enumerated before 2011. The Registrar General of India (RGI), during the Enumeration of Census 2011, for the first time provided three codes i.e. Male-1, Female -2, and Others -3 for enumeration. Although the process had its own limitations, [the Census \(2011\) recorded 4,87,803 individuals who identified themselves as being of a sex/gender 'other' than male or female.](#)

Measures for Protection and Welfare of the Transgender Persons in India

Transgender persons have faced several issues of discrimination, historically, like exclusion from their families, absence of dignified livelihoods, and inadequate access to health, shelter, welfare, and employment.

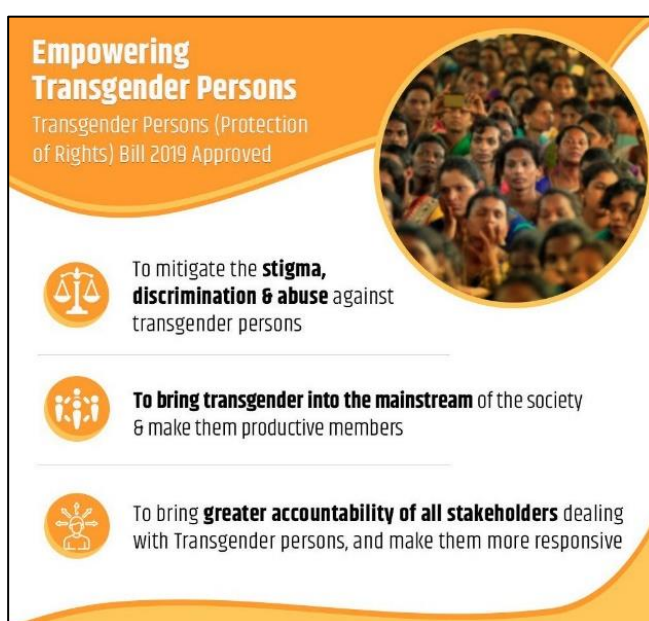
The Central government has enacted and issued several welfare acts and rules to address these issues for the provision of identity, education, shelter, livelihood, skill development, and protection of rights against the community, which are mentioned below:

The Transgender Persons (Protection of Rights) Act 2019

The Transgender Persons (Protection of Rights) Act 2019 seeks to mitigate the stigma, discrimination, and abuse against this marginalized section and bring them into the mainstream of society. It will lead to greater inclusiveness and will make Transgender persons productive members of society.¹

The Bill has the following provisions:

- i. **Non-discrimination** against a Transgender person in educational institutions, employment, healthcare services etc.
- ii. **Recognition of identity** of Transgender persons and confer upon them the right to self-perceived gender identity.
- iii. Provision of the **Right of Residence** with parents and immediate family members.
- iv. Provision for the **formulation of welfare schemes** and programmes for education, social security, and health of Transgender persons.
- v. Provision for **National Council for Transgender Persons** to advise, monitor, and evaluate measures for the protection of their rights.



The Act is designed to make all the stakeholders responsive and accountable for upholding the principles underlying the same. It also brings greater accountability on the part of the Central Government and State Governments/Union Territories Administrations for issues concerning Transgender persons.

Transgender Persons (Protection of Rights) Rules, 2020

The Transgender Persons (Protection of Rights) Rules, 2020 were formulated and published in the Gazette of India on September 29, 2020. The rules seek to recognise the identity of transgenders and prohibit discrimination in the fields of education, employment, healthcare, holding or disposing of property, holding public or private office, and access to and use of public services and benefits.

¹ <https://pib.gov.in/PressReleasePage.aspx?PRID=1593871>

National Council for Transgender Persons

In exercise of the powers conferred by Section 16 of the Transgender Persons (Protection of Rights) Act, 2019, the Central Government constituted a National Council for Transgender Persons on 21st August 2020. The Union Minister of Social Justice & Empowerment is the Chairperson (ex-officio) and the Union Minister of State for Social Justice & Empowerment is the Vice-Chairperson (ex-officio) of the council.

The National Council performs the following functions:

- (a) **advises** the Central Government on the formulation of policies, programmes, legislation and projects with respect to transgender persons;
- (b) **monitors and evaluates** the impact of policies and programmes designed for achieving equality and full participation of transgender persons;
- (c) **reviews and coordinates** the activities of all the departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to transgender persons;
- (d) **redresses the grievances** of transgender persons; and
- (e) **performs** such other functions as may be prescribed by the Central Government.

The other members of the Council include representatives of various Ministries/Departments, five representatives of the transgender community, representatives of the National Human Rights Commission (NHRC) and the National Commission for Women (NCW), representatives of State Governments and UTs, and experts representing NGOs.

SMILE (Support for Marginalised Individuals for Livelihood and Enterprise)

The [Ministry of Social Justice and Empowerment](#) launched an umbrella scheme “SMILE - Support for Marginalised Individuals for Livelihood and Enterprise” on February 12, 2022. This umbrella scheme would cover several comprehensive measures including welfare measures for the transgender community and for persons who are engaged in the act of begging with a focus extensively on rehabilitation, provision of medical facilities, counselling, education, skill development, economic linkages etc. with the support of State Governments/UTs/Local Urban Bodies, Voluntary Organizations, Community Based Organizations (CBOs)/Institutions and others.



The scheme includes various welfare measures for transgender persons such as **financial assistance** in the form of scholarships to transgender students studying in classes Ninth till

post-graduation, **skill development training & livelihood, composite medical health** for availing gender reaffirmation surgeries, pre and post-operative procedures and other health care facilities, setting up of **Garima Grehs** in each state for providing shelter facility for abandoned and orphaned transgender persons, setting up of **transgender protection cells** in the entire country for providing quick redressal of offences & crimes against transgender persons etc.

The Ministry has allocated **Rs. 365 crores** for the scheme from 2021-22 to 2025-26.

National Portal for Transgender Persons

The Ministry of Social Justice and Empowerment launched National Portal for Transgender Persons on November 25, 2020.² Any Transgender applicant can obtain a certificate of identity and identity card without any physical interface with the office of issue. The person who has been issued a certificate of identity is entitled to change the first name on the birth certificate and all other official documents relating to the identity of such person.

The Portal provides the facility for transgender persons to apply for a certificate and an identity card from across the country without physical interface through a seamless end-to-end mechanism. **The Transgender certificate and identity card are nationally recognised and are provided by the Ministry of Social Justice & Empowerment. The certificate is a mandatory document to avail of the welfare measures being provided under the SMILE scheme. The number of certificates and identity cards issued on the portal is as mentioned in Fig 1.1**

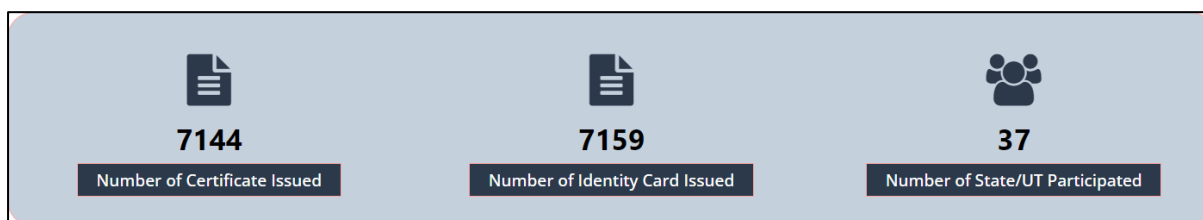


Fig 1.1 (as on 23.06.2022)

² <https://pib.gov.in/PressReleasePage.aspx?PRID=1784245>

Empowerment of Transgender Persons through Education

The Indian education system and successive government policies have made steady progress towards bridging gender and social category gaps in all levels of school education. Several other measures are being taken to focus on socio-economically disadvantaged groups that have been historically underrepresented in education.

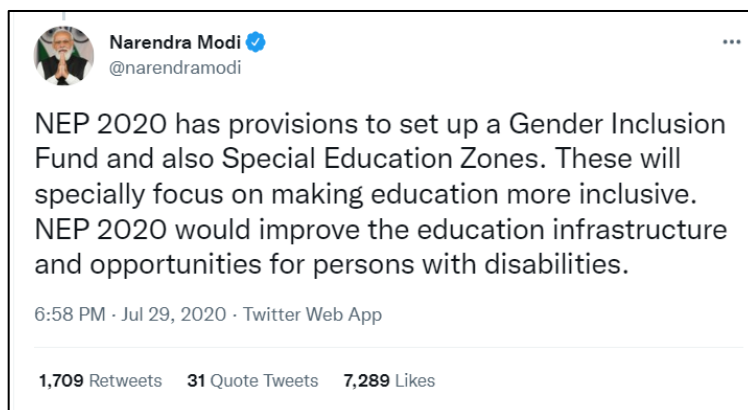
National Education Policy 2020

The National Education Policy of India 2020 (NEP 2020), approved by the Union Cabinet of India on **July 29, 2020**³, outlines the vision of new education system of India. The Policy aims at **universalization of education** from pre-school to secondary a level with 100 % Gross Enrolment Ratio (GER) in school education by 2030.

NEP 2020 identifies transgender children as **Socio-Economically Disadvantaged Groups**⁴ (SEDGs) and provides for equitable quality education, inter-alia, for all such students. This includes provisions for assisting transgender children in gaining access to education, and support for community-based interventions that address local context-specific barriers to transgender children's access to and participation in education, thereby aiming to eliminate any remaining disparity in access to education (including vocational education) for children from any gender or other SEDGs.

A **'Gender-Inclusion Fund'**

will be constituted under the new policy to build the nation's capacity to provide equitable quality education **for all girls as well as transgender students**. The fund will be available to States to implement priorities determined by the Central government critical for assisting female and transgender children in gaining access to education (such as the provisions of sanitation and toilets, bicycles, conditional cash transfers, etc.); funds will also enable States to support and scale effective community-based interventions that address local context-specific barriers to female and transgender children's access to and participation in education.



³ <https://pib.gov.in/PressReleasePage.aspx?PRID=1642061>

⁴ [AU334.pdf \(pqars.nic.in\)](#)

Samagra Shiksha Abhiyan

The Samagra Shiksha scheme is an integrated scheme for school education covering the entire gamut from pre-school to class XII. **The scheme was upgraded on August 04, 2021 to align it with the Sustainable Development Goal for Education and the new National Education Policy launched in 2020.**

Among many other major [objectives](#) of the redesigned scheme, it effectively works towards **bridging social and gender gaps in school education along with** ensuring equity and inclusion at all levels of school education.

Scholarship Schemes under SMILE

The Ministry of Social Justice & Empowerment is [providing scholarship studies in India to Transgender students studying in classes IX and above](#)⁵ thereby reducing incidences of drop-out and aiding the transition from the elementary to the secondary stage for transgender students through an automated online system using a single login credential. Under the scheme, scholarship categories mentioned in Fig 1.2 are available for Transgender students to avail.

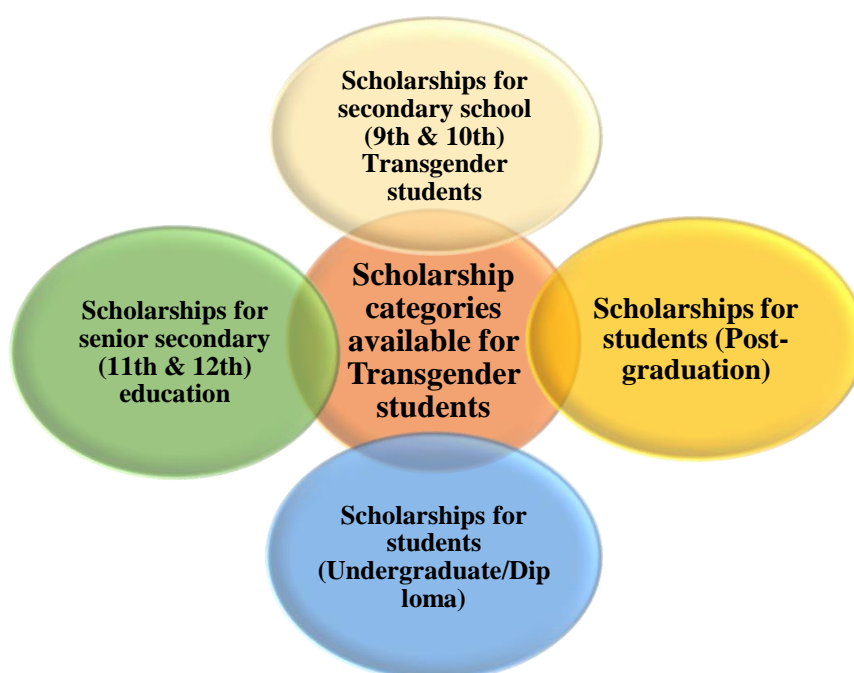


Fig 1.2

NISHTHA:⁶

National Council of Educational Research and Training (NCERT) has been training teachers, teacher educators and school heads on gender sensitization with an all-inclusive approach. The

⁵ <https://transgender.dosje.gov.in/Applicant/Registration/DisplayForm2>

⁶ <https://www.india.gov.in/spotlight/nishtha>

said concerns are addressed in different textual and training materials/manuals/modules. Under **NISHTHA (National Initiative for School Heads' and Teachers' Holistic Advancement)**, a nation-wide integrated teacher training programme for teachers under Samagra Shiksha, **teachers are trained for relevance of Gender Dimensions in Teaching and Learning Process** which helps teachers to use and adopt learning activities that foster gender sensitive classroom environment.⁷

Empowerment through Skill Development Training & Livelihood

Skill India Mission



Under Skill India Mission, the Ministry of Skill Development and Entrepreneurship (MSDE) has been implementing Pradhan Mantri Kaushal Vikas Yojana (**PMKVY**), Jan Shikshan Sansthan (**JSS**) Scheme and National Apprenticeship Promotion Scheme (**NAPS**), for providing short term Skill Development training and Craftsman Training Scheme (**CTS**), for long term training, to the youth belonging [to all sections of the society including transgender persons across India](#). To know the State-wise details of transgender persons imparted training under PMKVY, JSS, NAPS and CTS, [click here](#).

Skill Training through PM-DAKSH (Pradhan Mantri - Dakshta Aur Kushalta Sampann Hitgrahi)

The Ministry of Social Justice and Empowerment is imparting skill development training to the Transgender beneficiaries of the SMILE Scheme through [PM-DAKSH](#) - a skill development scheme of the Ministry. Short-Term Training Programmes; Up-Skilling/Reskilling;



Entrepreneurship Development Programmes, and Long-Term Training Programmes are conducted for transgenders under the scheme.

The Skill Development training & livelihood programme under SMILE scheme aims to provide training for transgender persons to get market-oriented skills for getting a livelihood. Through the component, transgender persons would be facilitated for wage and self-

⁷ <http://164.100.47.194/Loksabha/Questions/QResult15.aspx?qref=31984&lsno=17>

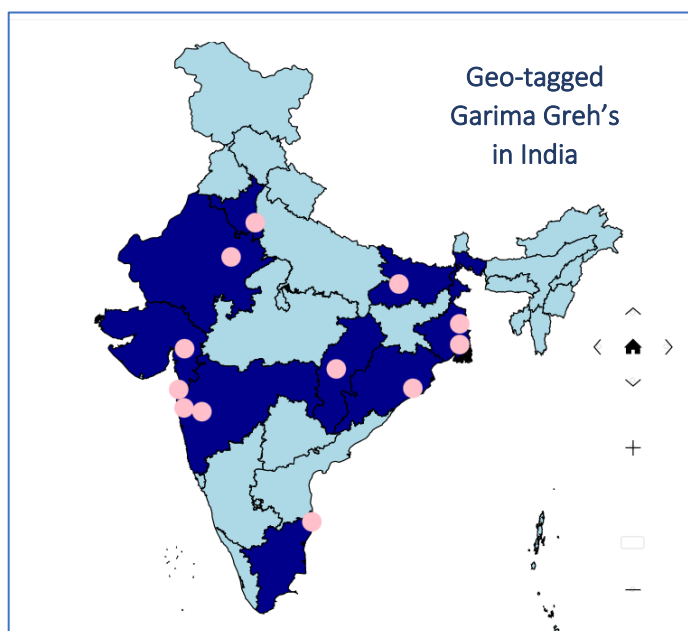
employment and provided placement through the empaneled training institutes. Follow-ups and sensitization programmes would also be conducted with the employing agency to eliminate discrimination at workplaces.⁸

Skill Training through various Sector Skill Councils

The Ministry of Social Justice and Empowerment, through the National Backward Classes Finance and Development (NBCFDC), has sanctioned skill development training programmes for transgender persons through Sector Skill Councils/Training partners in six States in various job roles through which [training programmes amounting to over 87 lakh⁹ have been sanctioned with total 330 trainees](#) for job roles such as beauty therapist, make-up artists, customer care executive etc.

Garima Grehs: Shelter Homes for Transgender persons

Section 12(3) of the Transgender Act 2019 says that whether any parent or a member of his immediate family is unable to take care of a transgender, the competent court shall by an order direct such person to be placed in the rehabilitation centre. In consonance with the same, the SMILE scheme provides for setting up of Garima Grehs, to provide shelter to the transgender persons in need with basic amenities like shelter, food, medical care, and recreational facilities. Besides that, it will provide **support for the capacity-building/skill development of transgender persons at the shelter home.**



Ministry has initiated 12 pilot 'Garima Grehs'¹⁰ and provided financial assistance to community-based organizations (CBOs) for setting up of these shelter homes. These pilot shelter homes are located in the states of Maharashtra, Gujarat, Delhi, West Bengal, Rajasthan, Bihar, Chhattisgarh, Tamil Nadu, and Odisha. [An online monitoring system has been created on the National Portal for Transgender Persons](#) for the Garima Grehs to log in, using the username and password provided to them.

⁸ <http://164.100.47.194/Loksabha/Questions/QResult15.aspx?qref=38455&lsno=17>

⁹ <https://pqars.nic.in/annex/253/AU3338.pdf>

¹⁰ <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2022/mar/doc20223522601.pdf>



Healthcare & Medical Support for Transgender persons

Composite Medical Health under SMILE

Composite Medical Health is a component under the SMILE scheme. The objective of the scheme is to provide health insurance coverage to all transgender persons living in India to **improve their health condition through proper treatment including sex re-assignment surgeries as well as medical support.** The scheme covers all transgender persons not receiving such benefits from other centre/state sponsored schemes.

The scope of the scheme is as follows:

- Health insurance in the form of Ayushman Bharat TG Plus shall be available for transgender persons inclusive of gender reaffirmation surgery in the health benefit package under Ayushman Bharat Yojana. **Each transgender person shall receive an insurance cover of Rs. 5 Lakh per year under the scheme.**
- The Comprehensive Package would cover all aspects of transition related healthcare for transgender persons. **It shall also (not exhaustive) provide coverage for hormone therapy, sex re-assignment surgery inclusive of post-operation formalities which can be redeemed at all private and government healthcare facilities.**

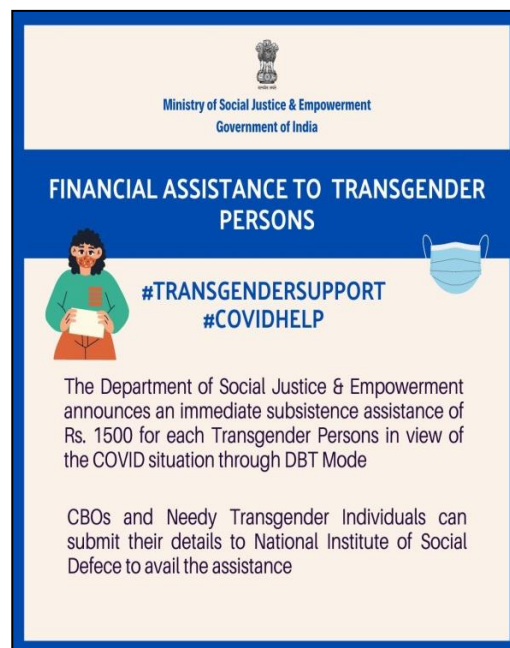


Assistance to Transgender persons during Covid-19¹¹

➤ Financial Assistance:

During COVID-19, the **Ministry of Social Justice & Empowerment through National Backward Class Finance and Development Corporation (NBCFDC)** has given **Rs.1,500** to each transgender person, through Direct Benefit Transfer (DBT). NBCFDC has additionally provided assistance for ration supplies to transgender persons on the recommendation of the respective district administration..¹²

For details of State-wise Financial Assistance provided to the Community amid lockdown, [click here](#)



Counselling Services Helpline

Owing to the distressing pandemic situation, a free helpline number for transgender persons was made functional for the required psychological support and mental health care by the Ministry of Social Justice and Empowerment. Any transgender person could connect with experts on the **Helpline Number 8882133897**. About 260 TG callers¹³ have been provided psychological counselling through the free Helpline in 21 States/UTs.

Safe Vaccination for Transgenders:

The Ministry of Social Justice & Empowerment issued directions to all States/UTs for **ensuring that existing COVID vaccination centres are transgender friendly** and no discrimination is shown towards transgender persons who come for their vaccination. The Centres were also requested to conduct awareness drives especially for reaching out to the transgender community in different vernaculars to ensure that they are informed and aware of the vaccination process. A request had also been made to the states to organize separate mobile vaccination centers or booths for vaccination of Transgender persons such as those taken up in the states of Haryana & Assam.

- Under a CSR initiative of NBCFDC during the pandemic, [Mask making and distribution of 15000 masks were done by transgender persons for the transgender](#)

¹¹ <https://pib.gov.in/PressReleasePage.aspx?PRID=1784245>

¹² <http://164.100.24.220/loksabhaquestions/annex/175/AU229.pdf>

¹³ https://socialjustice.gov.in/writereaddata/UploadFile/ANNUAL_REPORT_2021_ENG.pdf (pg.118)

community¹⁴ in Patna, Bihar, wherein approx. 3700 transgender persons received the masks.

- Five **Transgender Medical Camps** were organized wherein 497¹⁵ transgender persons attended the Camps in three States, i.e. Bihar, Delhi and Uttarakhand.

Other major steps towards trans-inclusivity:

1. In 2016, the Ministry of Railways introduced a **third gender column** in its reservation form and included transgender as an option in railway ticket forms. Previously, the column had only male and female columns.
2. The Ministry of Rural Development implements the National Social Assistance Programme (NSAP), a Centrally Sponsored Scheme that provides financial assistance to the elderly, widows and persons with disabilities in the form of social pensions. Under the same, 3,384 Transgender persons are being provided monthly pension.
3. In April 2020, the Ministry of Personnel asked all the central ministries and departments to modify relevant examination rules and application forms to include 'transgender' as a separate category¹⁶ for all the central government jobs.

Ministry of Railways
@RailMinIndia

In A Valiant Move, Railways Introduces Third Gender Column In Its Reservation Forms.
[indiatimes.com/news/india/in-...](https://www.indiatimes.com/news/india/in-...)

is option is not exercised, full fare paying passengers may be upgraded automatically)
u are traveling in 3 AC Class of Garib Rath Express Train or in Sleeper Class of
into Express Train, do you want bedroll in train? Write YES/NO in the box.

No. & Name..... No. of Berths/Seats.....
on From..... To.....
ding at..... Reservation upto.....
ile No..... (for PNR Status update through SMS)

Name in Block Letters (not more than 15 letters)	Nationality	Gender M/F or T(M/F)	Age	Tr	Concession/ Authority No.	Choice, if any
						Lower/ Upper berth
						Veg./Non- Veg (for Rajdhani/ Shatabdi Express only)

CHILDREN BELOW 5 YEARS (FOR WHOM TICKET IS NOT TO BE ISSUED)

Name in Block Letters	Nationality	Gender	Age

Extra-ordinary Exemplars

With these legal developments and the society slowly moving towards more trans-inclusivity, there are many stories emerging everyday of transgender persons breaking barriers and becoming experts in their fields. Some of their stories are mentioned below:

¹⁴ https://socialjustice.gov.in/writereaddata/UploadFile/ANNUAL_REPORT_2021_ENG.pdf

¹⁵ https://socialjustice.gov.in/writereaddata/UploadFile/ANNUAL_REPORT_2021_ENG.pdf (pg. 118)

¹⁶ <https://www.indiatoday.in/education-today/news/story/-transgender-as-separate-category-in-job-applications-centre-divd-1669255-2020-04-21>

Narthaki Nataraj (Transwoman)

Padma Shri Awardee and a renowned Bharatnatyam Dancer

Narthaki Nataraj, a renowned Bharatnatyam dancer from Tamil Nadu, was the first transgender person to be conferred with the prestigious Padma Shri Award in the year 2019. Born in a remote village in Tamil Nadu in 1964, Nataraj ran away from her home at the age of 11 due to the backlash received from her family due to her 'effeminate' nature. Soon, she found her Bharatnatyam Guru, Kittappa Pillai in Thanjavur where her journey into the dance form began. Before receiving the Padma



Shri, she had also received a Senior Fellowship from the Department of Culture, Government of India in 2014. She is a recipient of the Kalaimamani award, given by the Tamil Nadu government, and in 2016, she received an honorary doctorate from Periyar Maniammai University. She runs the Velliambalam Trust School of Dance, a Bharatanatyam dance school in Chennai.¹⁷

Dr. Aqsa Shaikh (Transwoman)

Doctor of Community Medicine and Associate Professor at Hamdard Institute of Medical Science and Research, Delhi

Hailing from Mumbai, Dr. Aqsa is the only transgender specialist in community medicine. She is a senior faculty member at Hamdard Institute of Medical Science and Research, Delhi (HIMSAR). During her childhood, she suffered from severe depression and suicidal tendencies due to the gender identity issues and societal pressure to fit into the gender assigned to her, but her motivation to pursue MBBS helped her to overcome these severe mental health issues. With her medical qualification in the field of Community Medicine, she contributed to the battle against the Covid-19 pandemic as in-charge of Covid-19 surveillance at the institute's hospital. She now heads a Covid-19 vaccination centre.¹⁸



¹⁷ <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2022/jan/doc20221258701.pdf>

https://clpr.org.in/wp-content/uploads/2022/01/Inclusion_of_Transgender_Children_in_School_Education.pdf

¹⁸ https://clpr.org.in/wp-content/uploads/2022/01/Inclusion_of_Transgender_Children_in_School_Education.pdf

Vihaan Peethambar (Transman)

Expert Committee Member, National Council for Transgender Persons



Born in Kerala in a middle class family, Vihaan faced challenging times growing up trying to adjust in the gender roles of a woman. Realising his identity as a trans-man in his early 20's, his journey of medical transitioning into a man took years of efforts. With a degree in Masters of Science in communication and an advanced diploma in Globalization and Human Rights, Vihaan co-founded the first community-based organization for trans men in Kerala and was appointed as an expert committee member in India's first National Council for Transgender Persons in 2020. He continues to advocate for transgender and queer rights at various forums in India and globally.¹⁹

Way Forward:

With the legal recognition, policy support and the transgender community being identified under the SEDGs, the movement for inclusion and acceptance of transgender persons has received a strong backing in India. Further, it is the responsibility of each individual at all micro and macro levels to create a 'gender inclusive' environment around them at their households, workplaces and other institutions. With more awareness, empathy and a welcoming attitude we can pave the way for a country, in rainbow colours, where we respect, support, and celebrate the engagement, expression, and well-being of all members of the LGBTQIA+ community.

References:

- http://164.100.47.193/Refinput/New_Reference_Notes/English/final%20Problems%20and%20welfare%20of%20transgeneders.pdf
- https://socialjustice.gov.in/writereaddata/UploadFile/ANNUAL_REPORT_2021_ENG.pdf
- <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1806166>
- http://ncsl.niepa.ac.in/nishtha/face-to-face/NISHTHA_Leadership_Package_English.pdf
- <https://pib.gov.in/PressReleaseDetailm.aspx?PRID=1598423>
- <https://sbmurban.org/storage/app/media/pdf/swachh-bharat-2.pdf>
- <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1778854>
- [AU1270.pdf \(pqars.nic.in\)](http://AU1270.pdf(pqars.nic.in))
- https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English_0.pdf
- <https://pib.gov.in/PressReleasePage.aspx?PRID=1784245>
- <https://pib.gov.in/PressReleasePage.aspx?PRID=1593871>
- <https://www.india.gov.in/spotlight/nishtha>
- <http://164.100.47.194/Loksabha/Questions/QResult15.aspx?qref=31984&lsno=17>
- <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1648221>
- <https://pib.gov.in/PressReleasePage.aspx?PRID=1776156>

¹⁹ https://clpr.org.in/wp-content/uploads/2022/01/Inclusion_of_Transgender_Children_in_School_Education.pdf

- <https://pmdaksh.dosje.gov.in/>
- <https://clpr.org.in/wp-content/uploads/2022/01/Inclusion of Transgender Children in School Education.pdf>

Video References:

- <https://youtu.be/ub-ltuIJfAo>
- <https://youtu.be/qv-PgFUY19c>

Further Readings:

- <https://www.indiatimes.com/news/india/in-a-valiant-move-railways-introduces-third-gender-column-in-its-reservation-forms-266213.html>
- <https://www.hindustantimes.com/india-news/pride-station-north-india-s-first-metro-station-dedicated-to-transgenders-in-noida/story-SYuCwRuTBV8VsuhVePyHbJ.html>
- <https://www.indiatoday.in/education-today/news/story/-transgender-as-separate-category-in-job-applications-centre-divd-1669255-2020-04-21>
- <https://www.indiatoday.in/education-today/news/story/-transgender-as-separate-category-in-job-applications-centre-divd-1669255-2020-04-21>
- <https://www.hindustantimes.com/cities/delhi-news/transpeople-welcome-the-decision-for-separate-toilets-but-need-gender-neutral-toilets-101614059375436.html>
- <https://www.nmrcnoida.com/Media/PRIDESTATIONDEDICATED>

AG/HP/RC/KM/AK