

The Transgender Persons (Protection of Rights) Act 2019

Background

The situation of transgender persons in India is complex and challenging. Transgender individuals face a great deal of discrimination, violence, and economic exclusion from mainstream society. Due to this, transgender individuals often struggled to access basic human rights such as healthcare, education, employment, and housing. However, in recent years, Government has taken several steps such as the inclusion of transgender individuals in government schemes. In order to provide protection of rights of transgender persons and their welfare, Ministry enacted the Transgender Persons (Protection of Rights) Act 2019 which came in to effect on 10.01.2020.

The Transgender Persons (Protection of Rights) Act, 2019 is a significant step forward in protecting the rights of transgender individuals in the Country. The Act provides legal recognition of transgender individuals as a third gender, and recognizes their right to self-identification based on their gender identity.

One of the major benefits of the Act is that it prohibits discrimination against transgender persons in education, employment, healthcare, and access to public spaces. The Act also mandates the creation of welfare boards at the State levels, which will be responsible for facilitating access to social welfare schemes for transgender persons.

The Act also makes provisions for transgender persons to obtain a certificate of identity, which will enable them to access various services and entitlements as per their self-identified gender. Additionally, the Act provides for the establishment of separate hospitals and clinics to provide healthcare services to transgender individuals.

Moreover, the Act criminalizes offenses against transgender persons, including physical, sexual, emotional, and economic abuse. It also provides for the punishment of those who force transgender individuals into begging, or for those who deny them access to public places such as parks, hospitals, or restaurants.

Overall, the Government through Transgender Persons (Protection of Rights) Act, 2019 has provided major benefit to the transgender community in India. By providing legal recognition, protection, and welfare, the Act aims to create a more inclusive and equitable society for all.

Achievements

- Formulation of the Transgender Persons (Protection of Rights) Rules 2020 on 29.09.2020 for implementation of the Act.
- Constitution of National Council for Transgender Persons which includes representatives from various Ministries/Departments and representative of Transgender Community.
- Ministry setup 12 pilot shelter homes in 9 States namely Garima Greh: Shelter Home for Transgender Persons to provide basic amenities like food, medical care, and recreational facilities to Transgender Persons.
- Department launched a National Portal for Transgender Persons through which any Transgender Person can avail Certificate of Identity/Identity Card without any physical interface.
- So far, 11,000+ Certificate/ Cards issued in 32 State/UTs.
- Department through an autonomous body conducts regular awareness programmes for Community, Government Officials and various other stakeholders. More than 15,000+ participated in these programmes.
- Ministry organised 5 regional consultations with all States/UTs, Civil Societies/ NGOs/ Transgender Community in coordination with NITI Aayog and UNDP for creating awareness on initiatives for welfare of Transgender Persons.
- Transgender Certificate of Identity is now acceptable supporting document for Aadhaar enrolment.

Success Stories

1. After getting the admission in Garima Greh, Raipur supported by the Ministry of Social Justice and Empowerment, 7 transgender individuals worked hard to get employment as their family didn't accept them after declaring their identity as transgender, they knew they didn't have a family where they can go back which also become a spark to get employment for their better future, these TG students studied hard and attended regular classes which were being conducted by the Garima Greh. These TG persons are now placed in G4S security, Vedanta group and working as Security Guards and inspiring other Community members to come out and achieve success in life.



2. With the support from Ministry of Social Justice and Empowerment (MSJE), 13 transgender individuals got admission in Garima Greh, Raipur they all were not confident as they were constantly faced verbal abuse from their relatives and classmates. Coming out as transgender person was a major challenge for them during their studies. These TG started preparation for the State Police examination. a short duration of time they were able to get selected in the State Police Department of Chhattisgarh, this 13 transgender are now become an inspiration for others to come out and achieve their rightful place in the society. Similarly, 7 more inmates have been selected as Bastar fighters.

3. Sultan

Sultan Hamed took Admission in Mumbai Garima Grehon 4th August 2021 after he had to left his home due to problems faced by his family. Sultan needed shelter, Skill development training and job for a stable future. He showed genuine interest in various activities conducted in Garima Greh related to Skill development. He was successfully brought out of the Crises. As he loved sewing, he is now doing fashion designing from from KES college in Kandivali. 13 more Transgender Persons are placed in Tata Steel, Netflix, Godrej, Sodexo and other companies in different job profile from Mumbai Garima Greh.

Pictures

1. Participants during Capacity Building Program on the Transgender Persons (Protection of Rights) Act 2019



2. Group Activity with the Project Directors of Garima Greh in Capacity Building Program Cum Review On 26-27 September.



3. Regional Consultations with State Government, NGOs/Civil Societies in Bhuvnashwesar



