Empowering Transgenders

What is the issue?

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Kochi metro recently hired transgenders to their workforce as a measure to empower them.

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What are the recent steps taken?

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- **Judiciary –** Supreme Court recognised transgender people as a third gender in 2014.
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- It mandated the government to take steps for the welfare of transgender persons in the NALSA vs. Union of India case.
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- Bihar state government introduced third gender category in school exams to give effect to the SC judgment.
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- **Legislative -** The Transgender Persons (Protection of Rights) Bill, 2016 has been introduced in the parliament.
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- It attempts to bring the community into the mainstream.
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What are the highlights of the bill?

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- The bill creates a statutory obligation on public and private sectors to provide them with employment and recognises their right to “self-perceived gender identity”.

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- A transgender person must obtain a certificate of identity as proof of recognition of identity as a transgender person and to invoke rights under the Bill.
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- It also provides for a grievance redressal mechanism in establishments.
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- It has provisions to establish a National Council for Transgenders.
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- It makes the government responsible for preparing welfare schemes and programmes which are “transgender sensitive, non-stigmatising and non-discriminatory”.
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- It holds that it is a crime to push transgender persons into begging or bonded or forced labour.
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- The Bill recognises the rights of transgender persons to live with their families without exclusion and use the facilities of those households in a non-discriminatory manner.
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What are the defects of the bill?

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- The Bill does not address the issue of Section 377 of the Indian Penal Code.
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- The definition of a ‘transgender person’ is left vague.
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- The provision to obtain a certificate from District Screening Committee for the identity as transgender persons goes against the principle of to ‘self-perceived’ gender identity.
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- It does not separately clarify any of the terms used in defining the trasgenders, like for example, “trans-men” and “trans-women”.
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Source: The Hindu

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