

Empowering Transgenders

What is the issue?

\n\n

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

\n\n

What are the recent steps taken?

\n\n

\n

- **Judiciary** - Supreme Court recognised transgender people as a third gender in 2014.

\n

- It mandated the government to take steps for the welfare of transgender persons in the [NALSA vs. Union of India case](#).

\n

\n\n

\n

- Bihar state government introduced third gender category in school exams to give effect to the SC judgment.

\n

- **Legislative** - The Transgender Persons (Protection of Rights) Bill, 2016 has been introduced in the parliament.

\n

- It attempts to bring the community into the mainstream.

\n

\n\n

What are the highlights of the bill?

\n\n

\n

- 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”.

- \n
- 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.
- \n
- It also provides for a grievance redressal mechanism in establishments.
- \n
- It has provisions to establish a National Council for Transgenders.
- \n
- It makes the government responsible for preparing welfare schemes and programmes which are “transgender sensitive, non-stigmatising and non-discriminatory”.
- \n
- It holds that it is a crime to push transgender persons into begging or bonded or forced labour.
- \n
- 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.
- \n

\n\n

What are the defects of the bill?

\n\n

- \n
- The Bill does not address the issue of Section 377 of the Indian Penal Code.
- \n
- The definition of a ‘transgender person’ is left vague.
- \n
- 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.
- \n
- It does not separately clarify any of the terms used in defining the transgenders, like for example, “trans-men” and “trans-women”.
- \n

\n\n

\n\n

Source: The Hindu

\n



SHANKAR
IAS PARLIAMENT
Information is Empowering