

## **Transgenders in khaki - Chhattisgarh Police Recruitment**

### **Why in news?**

No less than 13 members of the transgender community have been selected recently as constables under the Chhattisgarh police.

### **What was the 2014 Supreme Court ruling on transgenders?**

- The binary notion of gender denies equal protection of law to transgenders.
- This was rejected and the required relief was provided by the Supreme Court ruling in NALSA vs. Union of India (2014).
- It ruled that transgender persons have the right to decide their self-identified gender.
- The transgender community had no legal recognition till then.
- The induction of transgenders into the police force now is a vital message to people that they are as physically and mentally competent as others.
  - This is more significant in the backdrop of the fact that there was no reservation for the transgender community as a separate category.
- Earlier, a few transgenders were inducted into the Tamil Nadu police too.

### **What measures did the Chhattisgarh government take?**

- Soon after the 2014 Supreme Court judgment, the Chhattisgarh government constituted the Third Gender Welfare Board.
- It was set up to take up various welfare measures in favour of trans people.
- Instructions were issued to all departments in this regard.
- They were to include 'third gender' as an option (along with male and female) in official documents that require mentioning the gender or sex of a person.
- District-level committees were constituted to identify members of the transgender community to implement welfare schemes for their benefit.
- Sensitisation workshops were organised at State and district levels by the police department.
- Police officers were apprised about the Central law and the Supreme Court's ruling on transgenders.
- Training capsules were prepared for police training institutes with the help of transgender members of the Welfare Board.
- Further, after the announcement of vacancies, the police helped transgender

members in preparing for the written examination.

### **What are the legal provisions in this regard?**

- The Transgender Persons (Protection of Rights) Act was enacted in 2019.
- It paved the way for issuing a certificate of transgender identity.
- This is in spirit with international conventions, particularly, -
  - i. the Universal Declaration of Human Rights, 1948
  - ii. the International Covenant on Civil and Political Rights, 1966
  - iii. the Yogyakarta Principles, 2006
- The Act recognises that transgender persons have a legal right to self-perceived gender identity in accordance with the principle of the “Psychological Test” instead of the “Biological Test”.
- According to law, transgender persons cannot be discriminated against in any matter relating to employment by any establishment.
- Recently, the Kerala High Court allowed a petition moved by a transwoman seeking admission into the National Cadet Corps based on her self-claimed gender identity.
- The court held that the provisions of the NCC Act cannot preclude the operation of the Transgender Persons (Protection of Rights) Act.
- Thus, this new protective Central legislation has given a new lease of life to the whole community.

**Source: The Hindu**

