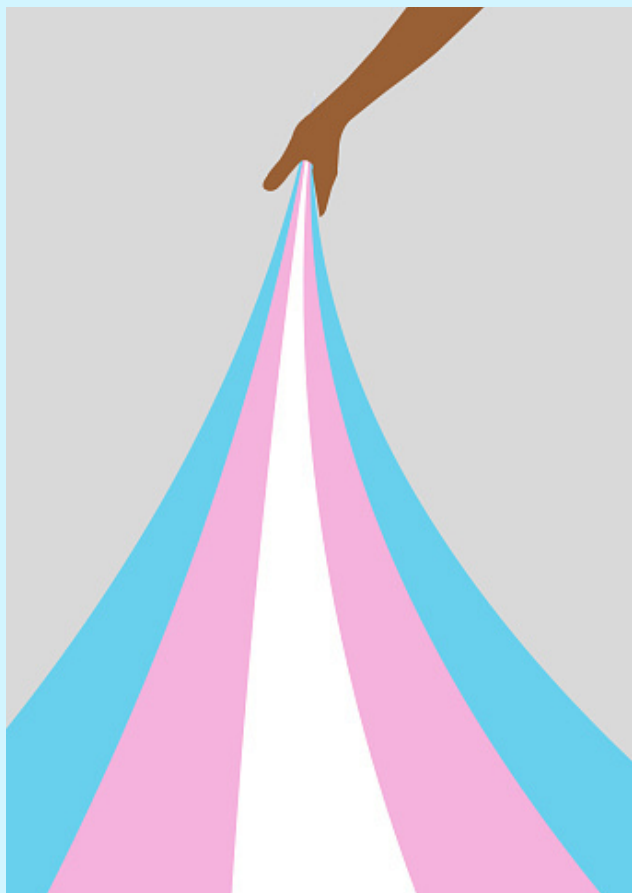


363382/2022/NISD

• Sensitization of:

- institutions and establishments by appropriate authority including teachers and faculty in schools and colleges,
- sensitization of healthcare professionals;
- sensitization programmes in workplaces; and
- sensitization programmes for complaints officers. (Rule 10 (7))

- Provision for the formulation of a comprehensive policy for Transgender Persons (Rule 11 (2))
- Provision for Setting up of a Transgender Protection Cell under the charge of the District Magistrate (Rule 11 (5))
- Provision for appointment of a complaint officer for grievance redressal. (Rule 13)
- Provision for setting up of a grievance redressal mechanism within one year, operating through a helpline and outreach centres. (Rule 13 (6))



For More information kindly contact :

Transgender & Beggary Division
 National Institute of Social Defence (NISD)
 Ministry of Social Justice and Empowerment
 Plot No. G-2, Sector-10, Dwarka,
 New Delhi-110075
 Telephone: 011-20893999, 011- 20893995
 Email: directoroffice.nisd@gmail.com
 Website: <http://www.nisd.gov.in>

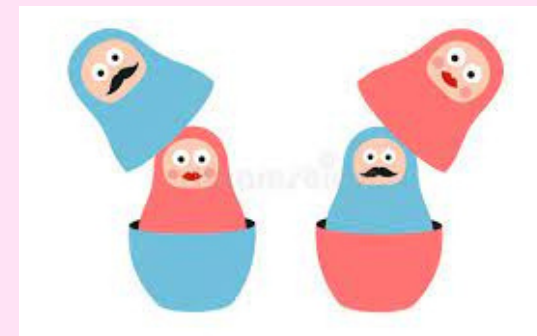


NATIONAL INSTITUTE OF SOCIAL DEFENCE
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT

TRANSGENDER PERSONS (PROTECTION OF RIGHTS)
ACT, 2019 & RULES 2020

Background

The transgender community enjoyed recognition in ancient history and finds mention in several of our ancient scriptures. However, it was in the colonial era that the discrimination against the community rose, leading to rigid prejudice against them. Due to their lack of recognition and ostracization from society at large, they have been unable to exercise their fundamental rights as citizens of the country. For a long period of time, they have faced issues such as unemployment, social discrimination, mental and physical abuse, lack of educational opportunities, property ownership, and so on. As per the Census 2011, there are 4,87,803 Transgender persons in India.



"Transgender Person" is someone whose gender does not match with the gender assigned to that person at birth. It includes trans-man or trans-woman, a person with intersex variations, genderqueer, and person having such socio-cultural identities as kinner, hijra, aravani and jogta.

363382/2022/NISD

The Act

The Transgender Persons (Protection of Rights) Act, 2019, was enacted w.e.f 10.01.2020 in order to provide protection of rights of transgender persons and their welfare. The Act, inter-alia, provides for recognition of identity of transgender persons, prohibition against discrimination, welfare measures by the Government, obligation of establishments and other persons, education, social security and health of transgender persons and National Council for transgender persons.

Some of the key provisions of the Act and Rules thereof are listed below:

- Prohibition Against Discrimination (Section 3)

No transgender person can be discriminated in educational establishments and services thereof; employment or occupation; healthcare services; enjoyment or use of any goods, accommodation, service, facility, benefit, privilege or opportunity dedicated to the use of the general public; right of movement; right to reside, purchase, rent, or otherwise occupy any property; and hold public or private office;

- Recognition of identity of transgender person and right to self-perceived gender identity (Section 4)



- Provision to obtain Transgender Certificate and Identity Card from District Magistrate. Revised Certificate is to be obtained if sex is changed. (Section 6 & 7)
- Obligations of appropriate Governments to take steps to secure full and effective participation of transgender persons and their inclusion in society. (Section 8)
- Obligations of establishments. Non-discrimination in employment. (Section 9)
- Provision for establishment to designate a complaint officer to deal with the complaints relating to violation of the provisions of this Act. (Section 11)



- Provision provides Transgender Persons Right of residence (Section 12)
- No child shall be separated from parents or immediate family on the ground of being a transgender, except on an order of a competent court, in the interest of such child. (Section 12(1))

- Provision for Vocational Training and Self-Employment (Section 14)
- Provisions for Health Care (Section 15)
- Provisions for Constitution of National Council for Transgender Persons (Section 16 & 17)
- Penal Provisions for offences against transgender persons including imprisonment which shall not be less than six months and may extend to two years with fine. (Section 18)



Some of the important provisions of the Transgender Persons Rules, 2020 are:

- Provision for welfare measures, education, social security and health of transgender persons by appropriate Government (Rule 10)

Online Basic Course on Transgender Issues

- An online basic course on Transgender issues through the NISD online education platform 'TAPAS'
- The course has been devised to equip the participants with knowledge, skills and aptitude to effectively implement/enforce the Transgender Persons (Protection of Rights) Act 2019.

Other activities/programmes of the division

- National consultation meetings in coordination with Ministry of Social Justice and Empowerment for Transgender Persons.
- Observing different important days dedicated to Transgender Persons.



Transgender And Beggary Division

NATIONAL INSTITUTE OF SOCIAL DEFENCE

Ministry of Social Justice and Empowerment
Government of India

Plot No. G-2, Sector-10, Dwarka,
New Delhi-110075

ACTIVITIES FOR TRANSGENDER WELFARE



NATIONAL INSTITUTE OF SOCIAL DEFENCE

Ministry of Social Justice and Empowerment
Government of India

Website: <http://www.nisd.gov.in>



Introduction on Transgender Welfare activities

Transgender community is among the most vulnerable communities in India. They face high levels of stigma in almost every sphere of their life such as health, schools/colleges, employment, absence of social schemes and any other entitlement.

Extreme social exclusion diminishes self-esteem and sense of social responsibility. This community needs to be included in the mainstream development programmes of the country and be protected from all forms of abuse and exploitation.

The Transgender Welfare Division engages in conducting awareness programmes, consultation meets, workshops, inter-ministerial meetings on transgender for chalking out Policies, legislations/rules and developmental schemes/programs for Transgender Community.

Major Activities in the Transgender Welfare division

1. Garima Greh: Shelter Home for Transgender Persons.
2. Online awareness Programmes on the Transgender Persons (Protection of Rights) Act, 2019
3. National Portal for Transgender Persons
4. Online Basic Course on Transgender Issues

Garima Greh

- Garima Greh has been initiated to provide shelter to transgender persons with basic amenities like food, medical care and recreational facilities.
- Besides, it will provide support for the capacity-building / skill development of Transgender persons.
- Inauguration was done on 25th November, 2020.
- Community Based Organisations are running Garima Greh across the country.

Online awareness Programmes on Rights of Transgender Persons

- Online awareness programme on Rights of Transgender with reference to the Transgender Persons (Protection of Rights) Act 2019.
- These are organised for various stakeholders such as Police, PRIs, Prison functionaries, Social Welfare Department functionaries, social work professionals, medical functionaries, Anganwadi workers and education department functionaries, media, judicial functionaries etc.

National Portal for Transgender Persons

- National Portal for Transgender Persons has been developed on 25th September, 2020.
- This Portal help transgender persons in applying for a Certificate and Identity card through digital mode from anywhere in the country.
- The most important benefit is that it helps the transgender person to get the I-Card without any physical interface and without having to visit any office.
- Online awareness programmes on National Portal for Transgender Persons are conducted for Transgender Persons as well as District Magistrates of the country.