

Transgender Persons (Protection of rights) Act

May 17, 2020

Features of the Act

- It **defines a transgender person** as one whose gender does not match the gender assigned at birth. It includes trans-men and trans-women, persons with intersex variations, gender-queers, and persons with socio-cultural identities, such as kinnar and hijra.
- It **prohibits the discrimination** against a transgender person, including denial of service or unfair treatment in relation to: (i) education; (ii) employment; (iii) healthcare; (iv) access to, or enjoyment of goods, facilities, opportunities available to the public; (v) right to movement; (vi) right to reside, rent, or otherwise occupy property; (vii) opportunity to hold public or private office; and (viii) access to a government or private establishment in whose care or custody a transgender person is.
- Every transgender person shall have a **right to reside** and be included in his household. If the immediate family is unable to care for the transgender person, the person may be placed in a rehabilitation centre, on the orders of a competent court.
- A transgender person may make an application to the District Magistrate for a **certificate of identity**, indicating the gender as 'transgender'.
- The Act states that the relevant government will take measures to ensure the **full inclusion and participation of transgender persons in society**. It must also take steps for their rescue and rehabilitation, vocational training and self-employment, create schemes that are transgender sensitive, and promote their participation in cultural activities.

- **National Council for Transgender Persons** will advise the central government as well as monitor the impact of policies, legislation and projects with respect to transgender persons. It will also redress the grievances of transgender persons.