



## POLICY PATHWAYS FOR INDIA'S THIRD GENDER INCLUSION

**Dr. Rachana Sharma<sup>1</sup>**

Assistant Professor, Department of Sociology, Guru Nanak Dev University, Amritsar

**Harkirandeep Kaur<sup>2</sup>**

Assistant Professor, Department of Laws, Guru Nanak Dev University, Amritsar

**Dr. Gurshaminder Singh Bajwa<sup>3</sup>**

Assistant Professor, School of Social Sciences, Guru Nanak Dev University, Amritsar

**Stuti Tandon<sup>4</sup>**

Independent Researcher, Amritsar

Accepted: 01/09/2024

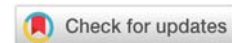
Published: 04/09/2024

\* Corresponding author

### How to Cite this Article:

Sharma, R. et. al. (2024). Policy Pathways for India's Third Gender Inclusion. *Indian Journal of Law*, 2(5), 64-76.

DOI: <https://doi.org/10.36676/ijl.v2.i5.60>



### Abstract

*This review article examines gender theory, with a particular emphasis on transgender individuals. The gender and sexual structures of our culture are quite firmly ingrained. Everywhere, individuals are generally divided into two categories, i.e., male and female. But this binary method of classification ignores a sizable portion of the population, transgender, by failing to account for the gender variety that has long existed. As a result, this group is mistreated and subjected to social oppression as the public is unaware of it. In a developing nation like India, they are experiencing several frustrating setbacks. This paper presents a review of the policies and programs implemented by the Indian government for benefitting the TGs in India. The goal of this paper is to evaluate how far policy interventions have considered transgender people's requirements, as well as to propose and implement solutions to ensure that transgender people's needs are properly met.*

**Keywords:** Exclusion, Gender, Policy, Schemes, Transgender Welfare.

### Introduction

We live in a society that is deeply structured in terms of sex and gender. There is a basic categorization of people as males and females everywhere, but this binary approach fails to account for long-standing gender variety, causing one to neglect a major segment of the population, namely transgender individuals. Transgender people are those whose gender identities, gender expression, and behavior do not correspond to their biological sex,





distinguishing them from the stereotyped identity of being a man or a woman. In its initial and restricted use, the term transgender pertained to males and females who identified as females or males. In a later and broader definition, it has evolved to refer to people whose gender identities include behaviors and characteristics normally associated with the opposite sex.

Gender identity is a person's internal sense of being a male, female or something else and includes a person's experience of their gender. It refers to a person's self-identification as male or female, or as something in between or outside those categories. A transgender or a trans person may identify as a man, woman, trans man, trans woman, or a non-binary person, and with other terms such as hijra, third gender, two spirits, genderqueer etc.

There is a difference in gender identity and sexual orientation. Transgender people may have any sexual orientation. By sexual orientation, it is meant an individual's enduring physical, romantic, and/or emotional attraction towards another person. Transgender people can be heterosexual, homosexual, bisexual or asexual just as non-transgender people may be. It is defined in terms of the sexes or genders to which a person is sexually, emotionally, or romantically attracted. While gender expression refers to a way a person communicates and affirms one's gender identity to others including changing their name, behavior, clothing, hairstyles, voice or body characteristics, and physical appearance. Many of them prefer their name and gender to be legally recognized and reflected in official ID documents. Some transgender people undertake gender-affirming surgery and/or hormone therapy to modify their bodies to conform to their gender identity. Whereas gender identity is not something that others can view, gender expression is publicly visible. Gender affirmation is the process of transition through medical intervention is referred to as sex or gender reassignment or gender affirmation.

### **Welfare Policies for Transgender People in India**

For a very long time, the transgender community in India has been ignored by the society. It was only after the landmark ruling by the Supreme Court in 2014, popularly known as the NALSA judgment, that transgender persons were legally recognized as the 'third gender' and were to be given the same fundamental rights as guaranteed by the constitution of India (<https://translaw.clpr.org.in>). The Registrar General of India (RGI), for the first time, provided three codes i.e. Male-1, Female-2, and Others-3 for the Enumeration of Census 2011. The Census (2011) recorded 4,87,803 individuals who identified themselves as being of a sex/gender 'other' than male or female (Press Information Bureau, 2019). The Government of India has introduced many welfare policies and schemes for the socio-economical development of the transgender community. The third gender in India has emerged as a strong factor in LGBT rights. Some of the significant policies have been reviewed here (gathered from various sources) that have been furthering the rights of the transgender community are:





### **Transgender Persons (Protection of Rights) Act, 2019**

This act defines "Transgender person" as a person whose gender does not match the gender assigned to that person at birth and includes trans-man or trans-woman (whether such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), a person with intersex variations, genderqueer and person having such socio-cultural identities as kinner, hijra, aravani and jogta. The Act seeks to mitigate the stigma, discrimination, and abuse against transgender people and to bring them to mainstream society. This is to ensure greater inclusiveness and to make transgender people productive members of society (<https://prsindia.org>, <https://thc.nic.in>). The Bill has the following provisions:

- A) There will be no discrimination against transgender people in educational institutions, employment, or healthcare services.
- B) Recognize the identities of transgender people and grant them the right to self-perceived gender identity.
- C) Provision of the Right of Residence with parents and immediate family members.
- D) Make provisions for the development of transgender welfare systems and programs in the areas of education, social security, and health.
- E) Allows the National Council for Transgender Persons to advise, monitor, and assess actions to preserve their rights

The Act is intended to make all stakeholders more responsive and accountable, including the Central and State governments/Union Territories Administrations, for concerns involving transgender people.

### **Transgender Persons (Protection of Rights) Rules, 2020**

The rules are designed to recognize the identity of transgender people and to prohibit all forms of discrimination in the fields of education, employment, healthcare, property, holding public or private office, and access to and use of public services and benefits. (Dec. 2022)

### **National Council for Tg Persons, 2020**

The council seeks to redress the grievances of transgender persons and advises the Central Government in the formulation of policies, programs, legislation, and projects concerning transgender persons. It monitors and evaluates the impact of those policies and programs designed to achieve equality and full participation of transgender persons. It also reviews and coordinates the activities of all the departments of the Governmental and non-governmental Organizations that deal with matters relating to transgender persons and performs other functions prescribed by the Central Government for the welfare of transgender persons.

### **Smile: Support for Marginalised Individuals for Livelihood and Enterprise, 2022**





This is an inclusive scheme that covers several comprehensive measures for the welfare of transgenders in the fields of health, education, housing, safety, skill development and training, etc. It is implemented by different government and non-government organizations. It seeks to help transgender persons who are engaged in the act of begging with a focus extensively on rehabilitation, provision of medical facilities, counseling, education, skill development, economic linkages, etc. The scheme provides financial assistance to transgender students studying in class 9<sup>th</sup> till post-graduation in the form of scholarships. It also provides financial assistance for transgender persons to access skill development training and livelihood, composite medical health for availing gender reaffirmation surgeries and other health care facilities, setting up of Garima Grehs in each state for providing shelter facility for abandoned and orphaned transgender persons, setting up of transgender protection cells in the entire country for providing quick redressal of offenses and crimes against transgender persons, etc. (transgender.dosje.gov.in)

### **National Portal for Tg Persons, 2020**

This portal enables Transgender applicants to obtain a certificate of identity and identity card from across the country without any physical interface with the office of issue. With the help of these documents, they can change their first name on the birth certificate and all other official documents. The certificate of identity and identity card for transgenders are issued by the Ministry of Social Justice and Empowerment and are recognized by the Government of India. The certificate is a mandatory document for transgender persons to avail of welfare measures provided under the SMILE scheme.

### **NATIONAL EDUCATION POLICY, 2020**

The National Education Policy of India 2020 outlines the vision of the new education system of India. The policy identifies transgender children as Socio-Economically Disadvantaged Groups and to eliminate all sorts of barriers faced by transgender students in gaining access to education, the policy lists provisions for assisting them in gaining access to equitable quality education and supports community-based interventions that address local context-specific barriers to transgender children's access to and participation in education. It provides for the constitution of a 'Gender-Inclusion Fund' to build the nation's capacity to provide equitable quality education for all girls as well as transgender students.

### **Samagra Shiksha Abhiyaan, 2021**

The Samagra Shiksha scheme is an integrated scheme for school education covering the entire gamut from pre-school to class XII. The scheme effectively works towards bridging social and





gender gaps in school education, along with ensuring equity and inclusion at all levels of school education.

### **Scholarship Schemes Under Smile**

The Ministry of Social Justice and Empowerment is providing scholarship studies in India to Transgender students studying in classes IX and above.

### **Nishtha: National Initiative for School Heads and Teachers' Holistic Advancement, 2019-20**

National Council of Educational Research and Training (NCERT) has been training teachers, teacher educators, and school heads on gender sensitization with an all-inclusive approach under the NISHTHA scheme. They are trained to enhance the relevance of Gender Dimensions in the Teaching and Learning Process which helps teachers to use and adapt learning activities that foster gender-sensitive classroom environments.

### **Mahatma Gandhi National Rural Employment Guarantee Act (Mgnrega), 2015**

It is a major initiative of the 11th Five Year Plan period which brought employment opportunities for transgender people.

### **Skill India Mission, 2015**

Under Skill India Mission, the Ministry of Skill Development and Entrepreneurship (MSDE) has been implementing the Pradhan Mantri Kaushal Vikas Yojana (PMKVY), Jan Shikshan Sansthan (JSS) Scheme and National Apprenticeship Promotion Scheme (NAPS), for providing short term Skill Development training and Craftsman Training Scheme (CTS), for long term training, to the youth belonging to all sections of the society including transgender persons across India.

**Skill Training Through Pm Daksh: Pm Dakshata Aur Kushalta Sampann Hitgrahi, 2020-21**  
Up-Skilling/Reskilling; Entrepreneurship Development Programmes, and Long-Term Training Programmes are conducted for transgenders under this scheme.

### **Skill Development Training And Livelihood Program Under Smile Scheme**

It aims to provide training for transgender persons to get market-oriented skills for getting a livelihood. Through this, transgender persons would be facilitated for wage and self-employment and provided placement through the empaneled training institutes. Follow-ups and sensitization programs would also be conducted with the employing agency to eliminate workplace discrimination.





### Sector Skill Councils

The Ministry of Social Justice and Empowerment, through the National Backward Classes Finance and Development (NBCFDC), has sanctioned skill development training programs for transgender persons through Sector Skill Councils/Training partners in six States in various job roles through which training programs amounting to over 87 lakhs have been sanctioned with total 330 trainees for job roles such as beauty therapist, make-up artists, customer care executive, etc.

### Garima Grehs: Shelter Homes For Tg Persons

Section 12(3) of the Transgender Act 2019 says that whether any parent or a member of his immediate family is unable to take care of a transgender, the competent court shall by an order direct such person to be placed in the rehabilitation centre The SMILE scheme provides for the setting up of Garima Grehs to provide shelter to transgender persons in need with basic amenities like shelter, food, medical care, and recreational facilities. It also seeks to provide support for the capacity building/skill development of transgender persons at the shelter home.

### Composite Medical Healthcare Under Smile

The scheme aims to provide health insurance coverage to all transgender persons living in India. This is to improve their health condition through proper treatment including sex re-assignment surgeries as well as medical support. The scheme covers all transgender persons who are not receiving any such benefits from other centre/state-sponsored schemes. (transgender.dosje.gov.in)

### Other Major Steps

In 2016, the Ministry of Railways introduced a third gender column in its reservation form and included transgender as an option in railway ticket forms. Previously, the column had only male and female columns. In April 2020, the Ministry of Personnel asked all the central ministries and departments to modify relevant examination rules and application forms to include 'transgender' as a separate category for all the central government jobs.

### Shortcomings of Welfare Policies

Despite the regulations enacted by the Indian government, the difficulties of transgender individuals are still not entirely addressed and considered, as some downsides and limits are not included in such rules. Despite its effectiveness in defending transgender people's rights in some cases, India's 2019 Act still suffers from several flaws and has thus been highly criticized since its introduction into force. (<https://www.hrw.org>). Some of the shortcomings identified through various sources of data are as follows:







**A) Denial of Right to Self-Determination:** Transgender persons are not defined properly in the transgender persons (protection of Rights) Act, 2019 and the Act does not have any provision for self-determination of gender. Individuals can self-identify as a transgender person, but they are required to undergo a gender-reaffirming surgery to change their gender marker. As a result, members of the transgender community and transgender rights advocates have filed applications before the Indian Supreme Court, challenging its constitutionality (Shaikh, 2020) (<https://clpr.org.in>). These petitions claim that such requirements run against transgender people's rights to bodily autonomy, integrity, and privacy.

**B) Lack of Data:** The lack of disaggregated records by national authorities makes it difficult to track the true extent of violence faced by transgender people, and reports suggest that thousands of transgender people are killed or badly injured in hate-motivated attacks every year. The Trans Murder Monitoring project documented more than 2,000 murders in 66 countries between 2008 and 2016, equivalent to a killing every two days (<https://www.ohchr.org>). The United Nations has documented particularly brutal attacks against trans women, and trans people in detention. A survey by the European Union Fundamental Rights Agency was conducted which found that a third of the trans people who took part in the survey reported attacks or threats of violence in the past five years, and the majority of them reported having experienced such incidents several times per year. The survey also found a clear link between negative attitudes, hate speech, violence, and discrimination. (<https://www.ohchr.org>).

**C) Issue of Reservations:** The Act makes no mention of awarding reservations to transgender people, contradicting the Supreme Court's decision in the NALSA case in 2014, which sought to grant reservations to transgender people as socially and educationally backward classes. As a result, they are underrepresented, and their problems are typically overlooked, leaving them behind and mistreated.

**D) Criminalization:** Begging is a way of life for transgender people, as they dance/sing to earn money. There is a provision for penalizing organized begging, which is coercive, as many of the community members don't have any other sources of livelihood. So the 2019 Act criminalizes begging by making it an offence without taking any alternative action for their social security. This puts them at risk of unnecessary arrests, detention, prosecution and punishment. They are also at elevated risks of abuse and torture in detention.

**E) Punishment:** It sets lighter consequences for discrimination and assault on Trans people compared to cisgender people which prescribes a jail sentence of 7 years for sexual assault on women. On the other hand, the punishment for the physical and sexual abuse of transgender people is a minimum of six months and a maximum of two years in prison with a fine. Due to this, the people who torture and discriminate against transgender people get away easily with lighter penalties and continue to repeat the same without any fear or hesitation.





**F) No Empowerment:** The Act treats transgender as victims rather than an empowered subject with rights. There is no provision for penalizing rape or sexual assault of transgender people. Indian rape laws do not include transgender people. According to a survey (Knight, 2019) of nearly 5000 TGs by the National AIDS Control Organization in 2014-15, one-fifth said they had experienced sexual violence in the past 12 months. India's rape laws make it almost impossible for transgender people to get justice because they define perpetrators as men and victims as women.

**G) Rights:** The Standing Committee's concerns about recognizing rights in marriage, divorce, and adoption of transgender persons have not been addressed. India does not legally recognize same-sex marriages, civil unions or other forms of partnerships. Still, it provides some legal recognition to cohabiting same-sex couples in the form of live-in relationships.

**H) Denial Of Right To Freedom Of Residence:** The 2019 Act violates the constitutional Right to Freedom of Residence under Article 19 of the transgender people as they must either stay with their parents or approach a court.

**I) Discrimination:** The 2019 act fails to understand the systemic nature of discrimination faced by the transgender community, is ineffective in dealing with workplace discrimination and since it ignores indirect discrimination, it is not adequate to ensure the induction of transgender people in the workplace. Without reservation and other positive duties, it seems difficult to envision how the transgender community, which has faced systemic discrimination and marginalization from the cultural and education folds of life, will even get access to jobs, let alone an equitable workplace (Bhargava, 2020). Due to the absence of a comprehensive law that covers all forms of discrimination against transgender people along with stricter punishments, such instances of discrimination and torture are rampant.

**J) Ignorance Towards The Complexity Of Issues Faced By Tg People:** There exists a diversity among transgender people themselves, and they differ among themselves on various grounds such as age, race, ethnicity, gender identity, sexual orientation, etc. There is no such law or policy that seeks to take into account this form of diversity that exists within the transgender community, due to which the complexity of issues the transgender people face are ignored and sidelined.

**K) Lack Of Awareness:** There is a lack of awareness among transgender people about their rights due to low literacy levels and a lack of financial resources. Some of them barely have suitable conditions for their survival.

**L) Lack Of Safety Measures And Insensitive Attitude:** Transgender people face discrimination, marginalization, and exclusion at individual, interpersonal and societal levels. They face negative social and public attitudes and are stigmatized based on their gender identity.

**M) LACK OF HEALTH FACILITIES:** The overall health status of transgender people in India is poor. Although they are legally guaranteed equal access to healthcare, the states have made no







effort to ensure access to those services to the community. Many of the hospitals lack trained staff which aware of transgender issues and there is an absence of quality, inclusive, and accessible primary and secondary healthcare. Transgender persons often face violence in healthcare settings and many of them are at risk of forced psychiatric evaluations, unwanted surgeries, sterilization or other coercive medical procedures, often justified by discriminatory medical classifications.

**N) Abuse In Shelter Homes:** Some transgender children who were disowned or fled from their abusive households have been reported to have faced abuse and torture in shelter homes due to the absence of any safety measures, lack of trained and sensitive staff and prejudicial attitudes of neighboring people. Transgender people experiencing homelessness often need more than just a roof over their heads. They need tailored spaces and services where they can receive different kinds of support without fear of re-traumatization or harassment—spaces where beginning to process and heal from extreme trauma becomes possible. But none of such needs are considered.

### Recommendations

Despite the transgender movement's spectacular gains over the previous decade, which has resulted in increased public awareness and substantial legislative triumphs, trans persons continue to experience open prejudice, high levels of violence, and negative health outcomes (<https://lgbtfunders.org>)

The following suggestions can be adopted to address the problems of transgender people:

#### 1) Recognition of Transgender People:

Provisions should be made for the recognition of transgender people without having them undergo a gender-reaffirming surgery by constituting a committee that includes members of the transgender community to consider their viewpoints and issues. Transgender individuals ought to have their gender identity acknowledged in public records by a straightforward administrative procedure founded on self-disclosure, free from coercive demands such as coerced medical diagnosis, sterilization, therapy, or separation. All people should have access to legal gender recognition worldwide. The procedure should respect non-binary identities (gender identities that are neither "man" nor "woman"), be based on the applicant's self-determination, be a straightforward administrative process, be accessible and, to the greatest extent possible, cost-free, and not require applicants to fulfill oppressive medical or legal requirements.

#### 2) Transgender Inclusive Policies and Protection Of Civil Rights:

The government should make policies in such a manner that considers the interests of all the sections of the population including the transgender people by ensuring that transgender people and organizations are consulted and participate when developing research, legislation and





policies that impact their rights. The government should include gender identity and expression as protected characteristics in hate crime and hate speech laws. An inclusive approach to Transgender must be planned and adopted by the Government and society. Recognition and respect for the civil rights of trans people are critically important because their legal needs span many aspects of life. These needs include identity documents that accurately reflect who they are, protections from employment discrimination, and immigration rights, etc. Government should take steps to protect transgender people from violence and discrimination and allow for recognition of their gender identity. There is a need for a gender-fluid approach to the treatment of transgender prisoners, and their special needs should be addressed. There should be regular collection and updation of gender-related data to assess the type, prevalence, trends and patterns of violence and discrimination against transgender people so as to inform policies and legislative actions and address gaps in investigations, prosecution and the remedies provided. (<https://www.ohchr.org>) Multipurpose identity cards may be provided to Transgender people to help them easy access to government schemes and other benefits. An anti-discrimination cell must be set up for Transgender persons. 'Third Gender' as a category must be included in all forms which require the candidates to indicate their sex. (<https://nhrc.nic.in>) Reservations must be given to transgender people, and the punishments for violation of their rights should be made stricter. Laws regarding rape and sexual assault and harassment should also be modified to include transgender people.

### 3) Social Engineering and Role of Media:

There is a need to increase awareness and inculcate a sense of respect and acceptance for the transgender community. Society needs to be sensitized for them to treat transgender people as their equals. Voices of transgender people must be raised by the media. It should feature transgender people and their human rights concerns in an objective, balanced and non-discriminatory manner. Journalists must be trained to respect transgender people. Strong proactive measures, including education and sensitization campaigns to eliminate the social stigma associated with gender diversity, should be adopted. Negative and/or stereotypical portrayals of transgender persons in the media should be stopped. An exclusive platform should be created for transgender persons to showcase their talent in cultural events.

### 4) Sensitising The Law Enforcement:

Legal and law enforcement systems need to be empowered and sensitized on the issues of Transgender community. Train police officers, healthcare workers, teachers, judges, prison officials, immigration officers and other officials on respect and equal treatment of transgender people. Record, investigate, prosecute and provide remedies for acts of violence, torture and ill-treatment against transgender people and those who defend their rights, and monitor and report





on levels of hate-motivated violence. Adequate training must be provided to police, judicial officials and shelter providers so they could be able to adequately respond to the needs of trans survivors of sexual and other forms of violence. Provision of free legal aid, supportive education, and social entitlement must be ensured for the Transgender community at the ground level. Laws and policies that exacerbate police abuse and harassment, extortion and acts of violence against people based on gender identity should be reviewed. Transgender Protection Cell should be established under the Director General of Police or his/ her nominee in the State to monitor cases of offenses against Transgender Persons (<https://nhrc.nic.in>). Adequate steps should be taken to deal with the complaints of sexual harassment of Transgender persons and other issues.

### **5) Health Care Facilities:**

Transgender people should be given access to good-quality healthcare services and health-related information. Provisions of gender-affirming care should be established. Strong measures should be taken to end so-called "conversion therapy", involuntary treatment, forced/involuntary psychiatric evaluations, forced or coerced surgery, sterilization, and other coercive medical procedures imposed on trans and gender-diverse persons. Separate policies related to transgender-specific health care must be framed and communicated in all private and public hospitals and clinics. Health services including gender-affirming procedures for trans people without stigma, discrimination, or abusive requirements must be made accessible. Medical boards should be set up to assist transgender persons in consultation, besides provisions in every district civil hospital for consultation, treatment, and counseling for sex reassignment surgery.

### **6) Housing and Financial Security:**

Due in large part to the financial fallout from prejudice in the workplace, the educational system, and other domains, transgender individuals are more than twice as likely to be living in extreme poverty. To begin their career as an entrepreneur or businessman, they must be guaranteed significant credit facilities and financial aid. It should be legal for transgender people to inherit ancestral land. For transgender people looking for work in the civil service, "Third Gender" should be recognized as an identification category so they can apply and take entrance exams. Regularly scheduled programs may educate businesses and employees about gender identity and sexual orientation. To address their concerns, organizations should set up a Grievance Redressal Cell with at least one transgender employee.

### **7) Education**

Discrimination against Transgender students in the education sector should be prohibited and suitable provisions for providing financial assistance to them for pursuing degree/ diploma/ PG courses should be made. Provision of scholarships and free education for Transgender students





also be formulated; policy should be formulated to address the issues of violence, discrimination and harassment at educational institutions by protecting transgender children from bullying, harassment or other forms of violence, and ensuring the setting up of a monitoring committee at educational institutions to address the issues of prejudices, discrimination, sexual abuse and other violence against them.

### Conclusion

Transgender people constitute a significant section of the population, and they face ignorance and isolation in many spheres of life. Even though the 2019 Act is an important milestone in the transgender community's quest towards equal rights and freedoms, its major shortcomings need to be addressed for it to become a strong legal tool protecting the human rights and dignity of transgenders, as well as a source of inspiration for other countries. Therefore, there is a need for a trans-inclusive and comprehensive framework to empower the transgender community, so their issues are addressed, and their rights are protected.

Note: Since this is a lawnd policy-based paper, the components of this paper have been drawn from various overlapping secondary sources of data available in the public domain and sources have been cited in text and references.

### Declaration:

This research paper is part of minor research project titled 'Social Exclusions and Social-legal Protections: A Study of Transgenders in Punjab' Sponsored by Indian Council of Social Science Research (ICSSR), New Delhi. The project is fully funded by ICSSR, New Delhi and the research team is grateful to the funding agency for supporting the rights of vulnerable groups.

### References

- Bhargava, Shagun. 2020. The Inadequacy of the Transgender Persons Act to Tackle Workplace Discrimination. Law School Policy Review & Kautilya Society. Oct. Available at: <https://lawschoolpolicyreview.com/2020/10/09/the-inadequacy-of-the-transgender-persons-act-to-tackle-workplace-discrimination/>
- Knight, Kayle. 2019. India's Transgender rights Law Isn't Worth celebrating <https://www.hrw.org/news/2019/12/05/indias-transgender-rights-law-isnt-worth-celebrating>, the Advocate, Dec 5
- Press Information Bureau, 2019. Reservation for Eunuchs. GOI, Ministry of Social Justice & Empowerment, 26 June. Available at: <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1575915>
- Shaikh, Almas. 2020 *Grace Banu Ganesan & Ors. v. Union of India & anr. | A constitutional challenge to The Transgender Persons (Protection of Rights) Act 2019* <https://clpr.org.in/litigation/grace-banu-ganesan-ors-v-union-of-india-anr/> June





<https://www.hrw.org/news/2019/12/05/indias-transgender-rights-law-isnt-worth-celebrating>

<https://clpr.org.in/litigation/grace-banu-ganesan-ors-v-union-of-india-anr/>

<https://translaw.clpr.org.in/case-law/nalsa-third-gender-identity/>

<https://prsindia.org/billtrack/the-transgender-persons-protection-of-rights-bill-2019>

[https://www.ohchr.org/sites/default/files/Documents/Issues/Discrimination/LGBT/FactSheets/UNFE\\_FactSheet\\_Transgender\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Discrimination/LGBT/FactSheets/UNFE_FactSheet_Transgender_EN.pdf)

<https://nhrc.nic.in/media/press-release/nhrc-issues-advisory-ensure-welfare-transgender-persons>

<https://lgbtfunders.org/resources/issues/transgender-issues/>

[https://thc.nic.in/Central%20Governmental%20Acts/Transgender%20Persons%20\(Protection%20of%20Rights\)%20Act,%202019.pdf](https://thc.nic.in/Central%20Governmental%20Acts/Transgender%20Persons%20(Protection%20of%20Rights)%20Act,%202019.pdf)

<https://transgender.dosje.gov.in/Applicant/Registration/DisplayForm4>

Oancea, Alexandra. 2021. The shortcomings of India's New Transgender People's Act :

<https://www.humanrightspulse.com/mastercontentblog/the-shortcomings-of-indias-new-transgender-peoples-act>

[https://www.ohchr.org/sites/default/files/Documents/Issues/Discrimination/LGBT/FactSheets/UNFE\\_FactSheet\\_Transgender\\_EN.pdf](https://www.ohchr.org/sites/default/files/Documents/Issues/Discrimination/LGBT/FactSheets/UNFE_FactSheet_Transgender_EN.pdf)

<https://nhrc.nic.in/media/press-release/nhrc-issues-advisory-ensure-welfare-transgender-perso>

<https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/struggle-trans-and-gender-diverse-persons>

