

The Transgender Persons (Protection of Rights) Bill passed by Rajya Sabha

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The Transgender Persons (Protection of Rights) Bill, 2019 cleared by Rajya Sabha by a Voice Vote without any amendments. Earlier, it was passed by the Lok Sabha during its monsoon session on August 5, 2019.

The Bill was moved in the Parliament by Thawarchand Gehlot, Union Minister for Social Justice and Empowerment and is aimed at protecting the rights of transgender persons by granting them recognition and making welfare provisions for them.

Definition of Transgender

As per the Bill, the transgender person is defined as the 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.

Highlights of the Bill:

- The Bill prohibits discrimination against a transgender person including denial of service or unfair treatment in relation

to:

- Education
- Employment
- Healthcare
- Access to
or enjoyment of goods available to the public
- Right to
Movement
- Right to
Reside, Rent or otherwise occupy a property.
- Opportunity
to hold public/private office
- Access to a
Government or Private establishment in whose care or custody, a transgender person is.
- It also criminalizes the denial of use of public places to transgender persons, their removal from household, villages etc.
- To ensure identity of a transgender, the Bill prescribes that a transgender person may make an application to the District Magistrate for a certificate of identity, indicating the gender as 'transgender'.
- A person can obtain a revised certificate if he/she undergoes surgery to change his/her gender either as a male or female.
- The draft bill had also proposed the establishment of a National Council for Transgender consisting of various members of the Central Ministries, NHRC, NITI Aayog and state Governments to monitor the impact of policies made for transgender persons and also redress their grievances.

The Bill will now be put forth before the President of India to receive his assent.