

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:4397
ANSWERED ON:21.04.2015
SPECIAL STATUS TO THE TRANSGENDERS
Gandhi Dr. Dharam Vira

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Government proposes to give special status to the transgender community;
- (b) if so, the details thereof;
- (c) whether the Government is considering to provide reservations to transgenders in educational institutions and Government jobs; and
- (d) if so, the details thereof?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT (SHRI VIJAY SAMPLA)

(a) to (d): An Expert Committee was constituted in the Ministry to make an in-depth study of the problems being faced by the Transgender Community and suggest suitable measures to ameliorate their problems. The Committee submitted its report on 27th January, 2014. The recommendations of the Committee, inter-alia, include declaring transgender as 'third gender', formulation of an Umbrella Scheme for socio-economic & educational empowerment of the community, intensive publicity campaigns etc. An Inter Ministerial Committee has been constituted to pursue implementation of the Expert Committee's recommendations.

On 15th April, 2014, the Hon'ble Supreme Court in a Writ Petition filed by National Legal Services Authority has delivered its judgement on the issues of Transgender persons, directing the Central and State Governments to examine the recommendations of the Expert Committee based on the legal declaration made in the above judgement and implement them. It has also directed that "Hijras, Eunuchs, apart from binary gender, be treated as 'third gender' for the purpose of safeguarding their rights under Part III of our Constitution and the laws made by the Parliament and the State Legislature". The Court has further directed to take steps to treat them as socially and educationally backward classes of citizens and extend all kinds of reservation in cases of admission in educational institutions and for public appointments.

The Ministry has filed an application in Supreme Court seeking certain clarifications regarding definition of 'transgender persons' and granting OBC status to such transgender persons who may by birth belong to SCs/STs.