

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

UNSTARRED QUESTION NO:1191
ANSWERED ON:28.07.2015
Transgender Status
Khuba Shri Bhagwanth

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

- (a) whether the Government has any proposal for transgenders to choose their gender;
- (b) if so, the details thereof; and
- (c) the likely impact of such proposal on the society?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT

(SHRI VIJAY SAMPLA)

(a) to (c): 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, inter-alia, recommended that transgender should be declared as the third gender, and a transgender person should have the option to choose either 'man', 'woman' or 'transgender' as well as have the right to choose any of the options independent of surgery/hormones. The Government has, in principle, accepted the recommendations of the Expert Committee.

The Hon'ble Supreme Court in a Writ Petition (Civil) No. 400/2012 filed by National Legal Services Authority (NLSA) has delivered its judgement on the issues of transgender persons and has upheld their right to decide their self-identified gender and further directed the Centre and State Government to grant legal recognition of their gender identity such as male, female or as third gender. Further, the Ministry has filed an application in Supreme Court seeking clarification in definition of transgenders. The matter is presently subjudice.