

1. Supreme Court on Transgender Rights – Polity

Supreme Court raps Centre, States for 'gross apathy' over opportunities for transgender persons. The Supreme Court of India has constituted a committee under former Justice Asha Menon to draft an Equal Opportunity Policy for transgender persons. The committee will also suggest measures for inclusive medical care, protection for gender non-conforming and gender-diverse persons, and improved access to social and legal rights.

Supreme Court Observations and Mandates

Systemic Barriers – SC noted challenges in employment, healthcare, education, and public services, including –

1. Lack of a 'third gender' option in forms and databases.
2. Pressure on transgender individuals to conceal their identity, violating Article 21 (Right to Life and Dignity).

Mandates under Article 142 –

1. Designation of appellate authorities under Rule 9 of the Transgender Persons Rules.
2. Creation of welfare boards in all States and UTs.
3. Establishment of Transgender Protection Cells under District Magistrates and DGPs.

Safety and Accessibility Measures –

1. Nationwide toll-free helpline for transgender persons.
2. Ensure female officer presence during arrest of transwomen.
3. Gender-diverse screening points at public venues.
4. Encourage gender-inclusive environments in public and private institutions.

Challenges Faced by Transgender Persons

1. **Institutional Gaps** – Poor implementation of the Transgender Persons (Protection of Rights) Act, 2019 and associated Rules.
2. **Data and Representation** – Lack of accurate data and low representation in policymaking.
3. **Healthcare Discrimination** – Denial of gender-affirming treatment, inadequate sensitivity in hospitals.
4. **Workplace Barriers** – Discrimination, harassment, and absence of sensitivity training.
5. **Social Stigma & Violence** – High risk of marginalization, particularly in rural areas.

Existing Legal and Policy Measures

1. **Transgender Persons (Protection of Rights) Act, 2019 –**
 1. Affirmed right to self-perceived gender identity.
 2. Mandates inclusive welfare schemes, non-discrimination in education and employment, and access to healthcare.
2. **Rules 2020** – Operationalize the Act and set procedures for ID issuance and grievance redressal.
3. **National Council for Transgender Persons** – Advises government, monitors policies, coordinates across departments and NGOs.
4. **NALSA Judgment (2014)** – Recognized transgender persons as a third gender. Affirmed self-identification, forming a legal basis for reservations and affirmative action.
3. **National Portal for Transgender Persons** – Enables online application for identity certificates and cards, reducing barriers to access.
4. **SMILE Scheme** – Provides comprehensive welfare, rehabilitation, livelihood support, and social security benefits.

Way Forward / Recommendations

1. Replace gatekeeping processes with self-identification pathways.
2. Streamline ID processes to prevent exclusion from benefits and services.
3. Appoint complaint officers in public and private institutions.
4. Implement reasonable accommodations in workplaces and educational institutions.
5. Operationalize Transgender Protection Cells with measurable timelines and accountability.

6. Adopt the Equal Opportunity Policy nationwide, embedding anti-discrimination and accommodation norms.
7. Ensure effective grievance redressal mechanisms with penalties for non-compliance.

Source - [https - //www.thehindu.com/news/national/supreme-court-raps-centre-states-for-gross-apaty-over-opportunities-for-transgender-persons/article70174382.ece](https://www.thehindu.com/news/national/supreme-court-raps-centre-states-for-gross-apaty-over-opportunities-for-transgender-persons/article70174382.ece)

