



**GUIDE ON THE**

# **Rights of Transgender Persons in India**

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# Introduction

## What laws are discussed in this Guide?

This Guide discusses the general provisions in the Constitution of India, **the Transgender Persons (Protection of Rights) Act, 2019** and **the Transgender Persons (Protection of Rights) Rules, 2020.**

## Why was the law enacted?

Transgender Persons are not treated as an equal part of society due to lack of social acceptance. Transgender Persons are usually abandoned and have fewer means for survival and avenues for gaining livelihoods. Parents tend to feel that it is dishonorable to have a transgender person as it will bring shame on the family. Another issue is that of marriage. This Act aims to solve the above issues and more.

## What is the objective of the law?

The Transgender Persons (Protection of Rights) Act, 2019 (“the law”) has been drafted and formulated to protect the rights of Transgender Persons in India, and provide for their welfare. **This law is applicable to the whole of India.**

## Who is a Transgender Person?

As per the law, a Transgender Person is a person whose gender does not match with the gender assigned to that person at the time of birth, and includes:

- **Trans-man**
- **Trans-woman**
- **Person with inter-sex variations**
- **Gender-queer persons**
- **Persons with socio-cultural identities such as kinner, hijra, aravani and jogta.**

## What is the legal status of a Transgender Person in India?

**In India, Transgender Persons are legally recognised as the ‘third gender’ or ‘other’ gender.**

They have the same status as that of any male or female person. They also have the same rights, including the **right to exercise their fundamental rights** under the Constitution of India. The Supreme Court in 2014 officially declared ‘transgender’ as the ‘third gender’ in India via the landmark judgment [NALSA V. Union of India & Ors \(2014\)](#)<sup>1</sup>.

The court held that all transgender persons are entitled to fundamental rights under Article 14 (Equality), Article 15 (Non Discrimination), Article 16 (Equal Opportunity in Public Employment), Article 19(1)(a) (Right to Free Speech) and Article 21 (Right to Life) of the Indian Constitution. In 2020, the parliament legally recognized ‘transgender’ as an official gender in India.

# Gender Identity of a Transgender Person

## What is gender identity?

Gender identity refers to a person's **internal sense** of being of a particular gender.

This choice is made when a person understands their internal and individual experience of their body, bodily appearance, speech, mannerisms etc. If a person does not identify themselves with the gender that they are assigned during birth, they can choose to identify with some other gender.

## What are the medical options to change your gender identity?

The process for recognizing, accepting and expressing your gender identity is known as **transitioning**. It can be achieved through the following medical options:

- **Hormone Therapy:** This is a form of medicine which helps to increase or decrease a person's sex characteristics.
- **Gender Affirmative Therapy (GAT):** This is a set of procedures, ranging from psychological counselling to sex reassignment surgeries, which aim to change a person's appearance so that it will conform more strongly with the self-identified gender. For example, Rita was identified to be female at birth, but while growing up, identifies themselves as male, and may undergo GAT to masculinize their appearance through breast removal surgery, etc.
- **Corrective surgery/intersex surgery:** These procedures modify sex characteristics and genitals when they are anomalous, meaning when there is no clear distinction between male and female genitals. For example, a child, Nakul, is born with both male and female genitalia, and decides that he self-identifies and feels that his gender is male, and thus undergoes corrective surgery to align more strongly to the male gender.

**Attention:**

**It is not mandatory for a person to undergo any physical change/medical procedure to choose their gender identity.** The laws in India recognise a person's physiological right to choose their gender identity based on what they are feeling. The person's **physical characteristics** do not affect the gender identity that they have chosen.

## Does the law permit a person to choose their gender identity?

Yes! The law grants everyone the **right to choose** their gender identity.

Third gender persons are recognized by the Government as a “socially and educationally backward class of citizens” who are **entitled to reservations in educational institutions and public employment**. The Government also has a duty to make provisions for the legal recognition of “third gender” in all documents. You can read the Nyaaya explainer on [Identification proof for LGBTQ+](#) for more information.

- In the landmark case of [National Legal Service Authority v. Union of India and Ors\(2014\)](#)<sup>2</sup>, The Supreme Court **identified the rights of the transgender community as a “third gender”**. The Central and the State Government were also asked to formulate and regulate social welfare schemes and other necessary provisions for the protection of transgender rights.
- In the case of [Anjali Guru Sanjana Jaan v. State of Maharashtra & Ors \(2021\)](#)<sup>3</sup>, the Bombay High Court observed that for the Village Panchayat elections, the petitioner identified herself as a female while she was a transgender and her application was rejected. The court held that the **petitioner had the right to self identify her gender** and accepted her application.

## Can you officially record a person's gender identity?

The Transgender Law explains how you can **officially record your gender as a transgender person**. An example of the application form and the affidavit is given in the sample forms section at the end of this guide.

**Step 1**

**Make an application to the District Magistrate** for issuing a certificate of identity as a Transgender Person. For a minor, the application should be made by the **parent or legal guardian** of the child. If the parent/legal guardian does not make the application, then the person can apply after becoming a major (ie., once they are **18 years of age** or above). The procedure may be different for each district, so it is advisable to check with your district for particular requirements.

## Step 2

The District Magistrate will **issue a certificate of identity** against the submitted application.

## Step 3

The gender of the Transgender Person will be **recorded in the official records** maintained by the District Magistrate's office.

## Step 4

If a Transgender Person undergoes **sex-reassignment surgery** after the issuance of the identity card, then the new gender will be communicated by the transgender person to the District Magistrate along with a **certificate from the Medical Superintendent** or Chief Medical Officer.

## Step 5

The District Magistrate will **issue a revised certificate**. An example of the application form and the affidavit is given in the sample forms section below.



## Case Study:

A writ petition was filed seeking measures by the State Government for the **distribution of food ration, medicines, and access to medical treatment** to the transgender community in Kerala. The Court observed in the case of [Kabeer C Alias Aneera Kabeer v. State of Kerala\(2020\)](#)<sup>4</sup>, that necessary steps should shall be taken to ensure **issuance of gender identity card** and the ration card to transgender persons.



## What happens once a person officially records their gender identity as a transgender person?

Once a person officially records their gender identity, they will receive an official **Certificate of Identity as a Transgender Person**.

The certificate will serve as a **proof of their identity** as a Transgender Person. The said person's gender will be recorded as '**Transgender**' or '**Third Gender**' on all official documents.



## What are the documents required for getting an Identity Card issued?

Here is a tentative list of documents you can use to get an Identity Card issued to you (Please reconfirm these or ask for more options at the nearest District Magistrate's office):

- **Birth Certificate**
- **Caste/Tribe Certificate**
- **Class 10 (Secondary school) certificate or Class12 (Senior Secondary School) certificate or SSLC**
- **Election (Photo) Identity Card**
- **Aadhaar Card**
- **Permanent Account Number (PAN) Card**
- **Driving Licence**
- **BPL Ration Card**
- **Post Office Bank/Bank Passbook with photo**
- **Passport**
- **Kisan Passbook**
- **Marriage Certificate**

# Laws Protecting Transgender Persons

## Does the Indian Constitution protect transgender persons?

Yes. Some of the important provisions in the Constitution protecting transgender rights include:



### Right to Equality (Article 14) :

No one can deny any “person” equality before the law or equal protection of law. The use of the gender-neutral term “person” shows that sex or gender identity is not a basis for discrimination under the law.

Transgender Persons cannot be subjected to unfair treatment in educational institutions or at the time of employment. They also have the right to equal health services, and the right to use public property or the right to freely move in the country.



### Prohibition of Discrimination on Various Grounds including Gender (Article 15) :

This article prohibits any sort of discrimination on the basis of race, religion, caste or sex or any of them. This implies that discrimination or ill-treatment of Transgender Persons infringes on their basic fundamental right.

- In the case of [Mx. Alia SK v. The State of West Bengal and Ors.\(2019\)](#)<sup>5</sup>, the court held that **Transgender persons have the right to seek admission into universities**. The judgement is important because it signified the role of courts in ensuring that special accommodations and adjustments are made to include transgender people in the process of public university applications and admission process where none exist.



## Freedom of speech and expression (Article 19) :

This right grants every citizen the freedom of speech and expression. This includes the freedom to express your gender identity publicly.



## Right to life and personal liberty (Article 21):

Article 21 which deals with the protection of life and personal liberty states that no person shall be deprived of his life and personal liberty except according to the procedure of law.

This right states that every individual including a transgender person has the right to life and personal liberty. Being citizen of India they have the right to protect their life and personal liberty.

- In the case of [Nangai v. Superintendent of Police \(2014\)](#)<sup>6</sup>, the Madras High Court recognized that **compelling a person to undergo a medical examination of gender violates Article 21**. It upheld a person's right to self identify their own gender.



### Attention:

**Many people face violence in various forms such as physical, sexual, mental or emotional violence due to their sexual orientation or identity.** It is important to identify this violence and reach out for help or to take action to stop the violence. Read the Nyaaya explainer on [Violence Based on Gender Identity and Sexual Orientation](#) to understand the violence faced by people based on their sexual orientation or gender identity.

## What other laws protect the rights of transgender persons in India?

### The Transgender Persons (Protection of Rights) Act, 2019 & Rules:

This Act was passed in the year 2020 and it provides Transgender People several rights. The rules act supplementary to the Act.

### SC/ST (Prevention of Atrocities) Act, 1989:

If an individual belongs to the Scheduled Caste or Scheduled Tribe community, this law **protects that person from any sort of caste/tribe based discrimination.**

- In the case of [Mx Sumana Pramanik v. Union of India \(2020\)](#)<sup>7</sup>, the court reiterated the importance of not just **reservations for the transgender community**, but also **age relaxations and fee concessions** for them in their examinations. Wherever these provisions for reservations have been made, the Government has to enforce it.

### NALSA and other Landmark Judgments:

In the landmark judgment [National Legal Services Authority v. Union of India and Ors](#)<sup>8</sup>. In 2014, the Supreme Court identified the rights of **the transgender community as a “third gender”**. This case paved way for transgender persons with the right to choose their gender identity and live their life with dignity.

- In the case of [G. Nagalakshmi v. Director General of Police \(2014\)](#)<sup>9</sup>, the Madras High Court observed that in the absence of any special law, **any person has the liberty to choose their sexual or gender identity** and upheld the petitioner’s right to choose their own gender.
- In [Puttuswamy v. Union of India \(2017\)](#)<sup>10</sup>, the Supreme Court noted the **constitutional right to privacy** inherent in the right to life, equality and fundamental freedoms. This includes the **right to have intimate relations of one’s choice** and the **right to sexual orientation and gender identity**.

### Decriminalisation of Section 377 of IPC:

Homosexual and transgender people constitute a considerable section of the society which is denounced by Section-377. The LGBT community is forced to live according to society and is exposed to harassment, exploitation, cruelty and humiliation.

- The Supreme Court in the case of [Navtej Singh Johar v. Union of India \(2016\)](#)<sup>11</sup> held that **LGBTQ+ people in India are entitled to all constitutional rights**, including the liberties protected by the Constitution of India.

### Indian Penal Code, 1860:

Any offence committed by a **Transgender Person shall be punished as per the provisions of the Indian Penal Code.**

- The case of [Mrs. X v. State of Uttarakhand \(2019\)](#)<sup>12</sup> affirmed the NALSA Judgement and stated that a denial of the right to self-identify one's gender would deny the right to life and liberty. It is especially significant since it is one of the first cases that affirmed the right to self-determination based on the "psyche" of the individual even in the context of the criminal law.

### Code of Criminal Procedure, 1973:

A transgender person is subject to the **same criminal procedural law** of arrests, bail, summons, investigation etc..

- The National Crime Records Bureau publishes an Annual Prison Statistics India report which includes the composition of prisoners. In [Karan Tripathi v. NCRB, WRP \(Criminal\) No. 9596 of \(2020\)](#)<sup>13</sup>, the Delhi High Court stated that now NCRB intends to include transgender in the gender classification of prisoners from PSI-2020.



### Are there any reservations for transgender persons?

Yes, under the Transgender Persons (Protection of Rights) Rules, 2020, Central and State governments can classify them as 'Other Backward Classes' for the purposes of vertical reservation.

## What can be done if Transgender rights are violated?

The **National Council for Transgender Persons** was set up under the Transgender Persons (Protection of Rights) Act, 2019 for addressing grievances.

Furthermore, violations of Part III rights of Transgender persons can be remedied by approaching the **Supreme Court or High Courts** under **Articles 32 or 226**. In addition, other rights guaranteed under various laws are protected by **Article 226**.

Moreover, **violation of rights to the 'third gender' constitutes human rights abuse**. The State and National Human Right commissions can be approached by the victim.

## What is the procedure to file complaints against discrimination of Transgender Persons?

For those facing discrimination during the course of employment, either in public or private sector, do approach **the designated complaint officer** set up under the the Transgender Persons (Protection of Rights) Act, 2019[1].

For **filing a grievance with the National Transgender Council**, create an account online in the National Transgender portal (<https://transgender.dosje.gov.in/>). On successful registration, click on the 'Grievance tab' on your dashboard. Detailed guidelines for the same can be found here – (<https://transgender.dosje.gov.in/docs/Manual.pdf>)

## If I decide to approach the Court directly, how can I get legal aid services?

You can approach your nearest **District Legal Services Authority** for availing legal aid. If your annual income is less than the ceiling limit prescribed for each state, then you can **enjoy these services for free**.

# Authorities Under Transgender Law

## What is the National Council for Transgender Persons (NCTP)?

National Council for Transgender Persons is a statutory body established on 21st August, 2020 by the Ministry of Social Justice and Empowerment.

It advises the government on **all policy matters affecting transgender, intersex persons and people with diverse GIESC (Gender Identity/Expression and Sex Characteristics) identities.**

The council is composed of:

- **The Union Minister in-charge of the Ministry of Social Justice and Empowerment**, Chairperson, ex officio;
- **The Minister of the State, in-charge of the Ministry of Social Justice and Empowerment** in the Government, Vice-chairperson, ex-officio;
- Various other **representatives from different fields.**

The Council was formed on 21st August, 2020 with its **headquarters in Delhi under the Ministry of Social Justice and Empowerment.** The Council is headed by Mr. Thawar Chand Gehlot. Its regional members are Laxmi Narayan Tripathi, Gopi Shankar Maduari, Zainab P Rifai, Shayamchand Kokchitbomb, and Meera Parida. The expert members are Reshma Prasad, Aryan Pasha, Vihaan Peethamber and C. Ganeshdas.

## What is the role of the National Council for Transgender Persons?

The role of the National Council for Transgender Persons is as stated below:

- **Redressal of the grievances** of Transgender Persons.
- **To give advice, monitor, and evaluate the impact of policies** made by the Central Government relating to Transgender Persons.
- **To oversee** the work of various **Governmental and Non-Governmental organizations** which are dealing with matters relating to Transgender Persons.

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# Personal Rights of a Transgender Person

## Does the law protect a transgender person from abuse faced from their family?

Yes. Below are some of the provisions that protect transgender persons from abuse.

### Section 18 of the Transgender Persons (Protection of Rights) Act:

This law protects all transgender persons against any form of abuse such as physical, verbal, emotional, sexual, mental and economic abuse by punishing the abuser with a fine and **imprisonment of a minimum six months to two years**. Unfortunately, it does not prescribe any separate mechanism to lodge a complaint against any of the above kinds of abuse.

### Domestic Violence Act, 2005:

The Domestic Violence Act **protects all women including Transgender Women** (regardless of their Certificate of Identity) against any kind of abuse by any family member. You can read more in the Nyaaya explainer on [Domestic Violence](#).

## What can be done if the family of a transgender individual asks them to move out of their residence due to their gender identity?

As per the Transgender Persons (Protection of Rights) Act, it is illegal for any family to discriminate against the child or ask the child to move out of the house.

All transgender people have **the right to reside in their family home** and make use of all the facilities in their family home **without any discrimination**. If the parent or family member is unable to take care of a Transgender person, the court will place them in a rehabilitation centre (Section 12(3) of the Act).



## Can anyone estrange or ask a transgender person from their community or ask them to leave their home?

The Transgender Persons (Protection of Rights) Act makes it **illegal for anyone to separate a transgender person from their family** or ask them to move out of their home, village or community.

If anyone tries to commit this offence then they shall be **punished with imprisonment ranging from 6 months to 2 years<sup>14</sup>**.

## As a transgender person, do I have legally protected safe places to stay?

Yes, while transgender persons enjoy the 'right to residence' in their own homes, the Government has set up '**Garima Grehs**' to help those without homes.



## Are there any conditions to be met to reside in ‘Garima Grehs’?

The following conditions are to be fulfilled to reside in the Garima Grehs:

1. Should possess certificate issued through the National Portal for Transgender Persons and preferably living below the Poverty Line
2. Abandoned, aged above 18 years and below 60 years
3. Not engaged in sex work and beggary
4. Unemployed and not engaged in productive commercial activities

The screenshot shows the 'NATIONAL PORTAL FOR TRANSGENDER PERSONS' website. The header includes the Government of India logo and the Ministry of Social Justice and Empowerment. The main heading is 'NATIONAL PORTAL FOR TRANSGENDER PERSONS' with the subtitle 'DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT'. The central focus is the 'APPLICANT REGISTRATION' form, which includes the following fields: Full Name, E-mail, Mobile Number, a dropdown menu for '-Select State-', another dropdown menu, a captcha image showing the number '6488', and a text box for 'Enter Captcha'. A blue 'REGISTER' button is at the bottom of the form, and a 'Login here' link is positioned below it.

## How to apply for a certificate on the National Portal for Transgender persons?

Go online to the [National Transgender portal \(https://transgender.dosje.gov.in/\)](https://transgender.dosje.gov.in/).

1. Create **an account** on the portal.
2. On successful registration, click on the '**Apply online**' tab on your dashboard.
3. Fill in the **personal particulars** and other details in the online form.
4. **Upload the affidavit** declaring gender. This portal helps a transgender person to obtain an identity card without a physical interface.
5. Detailed **guidelines** for the same can be found here – (<https://transgender.dosje.gov.in/docs/Manual.pdf>)

# Marriage & Divorce of Transgender Persons

## Under what laws can a transgender person get married in India?

A transgender person can get married in India either under personal religious laws (for instance the Hindu Marriage Act or Indian Christian Marriage Act) or under the Special Marriage Act, 1954.

- In the case of [Arun Kumar v. Inspector General \(Madras\) \(2019\)](#)<sup>15</sup>, it was observed by the Madras High Court that **a marriage solemnized between a male and a transgender women**, both professing Hindu religion was considered to be a valid marriage in the eyes of the law.
- In the case of [Chinmayjee Jena v. State of Odisha \(2020\)](#)<sup>16</sup>, Odisha High Court delivered the first judicial decision in India that explicitly recognizes the rights of trans persons to **enter into a live-in relationship with the partner of their choice**, regardless of the “gender” of the partner.

## Can a transgender person file for divorce from their spouse?

If they are legally married, then **they are eligible to file for divorce under the law** under which they had gotten married initially. In case of live-in relationships, there is no legal requirement to get a divorce.

## What are legal safeguards for a Transgender Woman facing abuse/harassment from their spouse/live-in partner?

Any person identifying themselves as a Transgender Woman and facing any form of abuse such as physical, emotional, economic or sexual abuse, is **eligible for protection under the Domestic Violence Act**. Read this Nyaaya explainer on [Live-In relationships](#) to understand more about protections under this law.

# Protection Against Sexual Harassment

## Does the law protect Transgender Persons against sexual harassment?

### Transgender Persons (Protection of Rights) Act

Under Section 18 of the Act, it is illegal for any person to sexually abuse any transgender person.

### Indian Penal Code

All transgender women can seek protection under all the sections of the Indian Penal Code protecting women from sexual abuse. This was mentioned by the High Court of Delhi in the case of [Anamika v. Union of India\(2020\)](#).<sup>17</sup>

### Prevention of Sexual Harassment at the Workplace

If any transgender person faces sexual harassment at their school/college then it will be considered as [Sexual Harassment at the Workplace](#). Any transgender student is eligible to file a complaint with the Internal Complaints Committee of the school/university.

## Does the POSH Act provide any mechanism for the protection of the rights of the Transgender person against sexual harassment at workplaces?

In accordance with the requirements under the POSH Act, (The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013), organisations shall put in place adequate grievance redressal mechanisms for transgender individuals to deal with harassment complaints, while keeping the identity of the complainant anonymous.

# Public & Political Rights of a Transgender Person

## What are the duties of workplaces or establishments with regard to the welfare of the Transgender Persons?

Employers cannot discriminate on any issue relating to the employment of a Transgender Person.

All establishments should comply with the provisions of the Transgender Law. They have the duty to designate a person as a complaint officer to deal with the complaints relating to the violation of this Act.

## Does a Transgender Person have the right to use Public Transport ?

Yes, all Transgender Persons have the right to use all forms of public spaces and transports intended for general use of the public.

The Transgender Persons (Protection of Rights) Act makes it illegal for any person to prohibit the usage of public transport or space by a Transgender Person.

## Can a transgender person vote?

Yes, just like any other gender, a Transgender Person who is a major (above 18 years of age) is also entitled to vote in India.

The voter registration form also has [the option of 'other' under the category of gender](#). Along with the right to vote, the Transgender Persons (Protection of Rights) Act provides that there shall be no discrimination in holding any public office, which means that a Transgender Person can contest in elections as well.

# Sample Forms

## Application for Transgender Certificate of Identity

Form – 5

### Form of Identity Card

#### Front side of identity card

State Emblem  
 State Government of (name of the State)  
 Office of the District Magistrate  
**Transgender Identity Card**

Identity card number

Photograph Of the Card holder
-------------------------------------

Name

Mother's name@

Father's or Guardian's name @

Gender

Transgender

Date of birth or

dd/mm/yyyy

Age as on the date of application for issue of  
identity card

\_\_ years

Reference number of certificate of authority  
on the basis of which this card is issued

#### Back side of the identity card

Present address

Permanent address

Card issue date

Signature of the issuing authority

Designation

Seal of the issuing authority

**Issued under Section 6\*/ 7\* of the Transgender Persons (Protection of Rights) Act, 2019  
 and under Rule \_\_ of Transgender Persons (Protection of Rights) Rules, 2020**

**\* Strike out whichever is not applicable**

@ only in case the applicant is a minor child

Form – 6

**Form of Identity Card****Front side of identity card**

State Emblem  
 State Government of (name of the State)  
 Office of the District Magistrate  
**Identity Card**

Identity card number

Photograph of the Card holder
-------------------------------------

Name

Mother's name@

Father's / Guardian's name@

Gender

Male / Female

Date of birth **or**

dd/mm/yyyy

Age as on the date of application for issue of  
identity card

\_\_ years

Reference number of certificate of authority

on the basis of which this card is issued

**Back side of the identity card**

Present address

Permanent address

Card issue date

Signature of the issuing authority

Designation

Seal of the issuing authority

@ only in case of a minor child

Signature of witness

Form – 3

**Form of certificate of identity to be issued by District Magistrate under Rule 5 Transgender Persons (Protection of Rights) Rules, 2020 read with section 6 of the Transgender Persons (Protection of Rights) Act, 2019**

**Photograph of  
the certificate  
holder  
District  
Magistrate to  
attest the  
photograph**

1. On the basis of the application dated dd/mm/yyyy to the undersigned it is certified that Shri / Smt / Km/ Mx (name) son / daughter / ward of Shri/ Smt (name of the parent or Guardian) of (complete residential address of the applicant) is a transgender person.
2. His / her birth name is \_\_\_\_\_ .
3. This certificate is issued in terms of the provisions contained under Rule 5 Transgender Persons (Protection of Rights) Rules, 2020 read with section 6 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri / Smt / Km/ Mx \_\_\_\_\_ is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder.

Date

Signature of the District

Place

Magistrate:

Seal



**Form – 4**

**Form of certificate of identity for change of gender to be issued by District Magistrate under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020 read with section 7 of the Transgender Persons (Protection of Rights) Act, 2019**

<p><b>Photograph of the certificate holder District Magistrate to attest the photograph</b></p>
-------------------------------------------------------------------------------------------------------------------------

1. On the basis of the application submitted to the undersigned along with a medical certificate from the Medical Superintendent or Chief Medical Officer (name of the Hospital and complete address), it is to certified that Shri / Smt / Km/ Mx (name)\_\_\_\_\_son / daughter / ward of Shri/ Smt (name of the parent or Guardian) of (complete residential address of the applicant) has undergone surgery to change gender.
2. His/ Her birth name is \_\_\_\_\_.
3. This certificate is issued in terms of the provisions contained under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020\_read with section 7 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri / Smt / Km/ Mx is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder.
6. Such change in name and gender and the issue of this certificate shall not adversely affect the rights and entitlements of the holder of this certificate.

Date

Signature of the District  
Magistrate:

Place

Seal

# Contact Information

**Sahaay Helpline:**  
**1800 - 2000 - 113**

Sahaay Helpline's toll free number is functional 24x7. It is aided by an international NGO and supported by Humsafar Trust.

**Transgender Mental Health Helpline:**  
**888 - 213 - 3897**

Any Transgender Person can connect with professional Psychologists for counselling services. This helpline is functional from Monday to Saturday between 11 AM to 1 PM and 3 PM to 5 PM.

**The Queerythm helpline:**  
**974 - 554 - 5559**

A helpline for all queer people is available in English, Malayalam and Tamil. Read more on the helpline [here](#).

# References

1. The Transgender Persons (Protection of Rights) Act, 2019.
2. The Transgender Persons (Protection of Rights) Rules, 2020.
3. NALSA v. Union of India - AIR 2014 SC 1863.
4. Puttaswamy v. Union of India – (2017) 10 SCC 1.
5. Navtej Singh Johar v. Union of India – Writ Petition (Criminal) No. 27 of 2016.
6. Arun Kumar v. Inspector General (Madras) - W.P. (MD) NO. 4125 OF 2019 AND W.M.P. (MD) NO. 3220 OF 2019.
7. G Nagalakshmi v. Director General of Police ((2014) 7 MLJ 452) MADRAS HIGH COURT.
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10. Mrs. X v. State of Uttarakhand – Writ Petition (Criminal) No. 28 of 2019 – Uttarakhand High Court.
11. Mx Sumana Pramanik v. Union of India – Writ Petition Appeal No. 9187 of 2020 – Calcutta High Court.
12. Karan Tripathi v. NCRB – Writ Petition (Criminal) No. 9596 of 2020 – Delhi High Court.
13. Chinmayee Jena v. State of Odisha & Ors. – Writ Petition No. 57 of 2020 – Orissa High Court.
14. Kabeer C Alias Aneera Kabeer v. State of Kerala - WP(C).NO.9890 OF 2020(S) – Kerala High Court.
15. Mx Alia SK v. State of West Bengal & Ors. - W.P. NOS. 21587 (W) OF 2019 – Calcutta High Court.
16. Ashish Kumar Misra v. Bharat Sarkar - MANU/UP/0332/2015 – Allahabad High Court.
17. Anamika Vv. Union of India, W.P.(C) 4356/2020, Delhi High Court.
18. <https://blog.ipleaders.in/legal-rights-of-transgender-india/>
19. <https://www.lexology.com/library/detail.aspx?g=b49d9488-c484-4d00-882c-2c386a041a07>
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21. <https://www.mondaq.com/india/employee-rights-labour-relations/851520/analysis-transgender-persons-protection-of-the-rights-bill-2019>

# Glossary

- 1. Trans-man:** A transgender person who has transitioned from female to male.
- 2. Trans-woman:** A transgender person who transitioned from male to female.
- 3. Person with inter-sex variations:** People born with ‘intersex variations’ have characteristics that don’t fit the typical definition of a female or male body. Intersex variations can be physical, hormonal or chromosome-related.
- 4. Gender-queer persons:** Non-binary or genderqueer is an umbrella term for gender identities that are neither male nor female—identities that are outside the gender binary.
- 5. Gender affirmative Hormone Therapy:** Gender affirmation hormone therapy is medicine prescribed to help a person gain the outward characteristics that match their gender identity.



## Endnotes

- 1 AIR 2014 SC 1863
- 2 AIR 2014 SC 1863.
- 3 Writ Petition (Stamp) No. 104 of 2021, Bombay High Court.
- 4 WP(c) No 9890 of 2020
- 5 WP NO. 21587 of 2019
- 6 4 MLJ 12 (MADRAS HIGH COURT).
- 7 Writ Petition Appeal No. 9187 of 2020
- 8 AIR 2014 SC 1863
- 9 (2014) 7 MLJ 452.
- 10 10 SCC 1
- 11 AIR 2018 SC 4321
- 12 Writ Petition (Criminal) No. 28 of (2019)
- 13 WRP (Criminal) No. 9596 of (2020)
- 14 Section 18 of the Transgender Persons (Protection of Rights) Act, 2019.
- 15 W.P. (MD) NO. 4125 OF 2019
- 16 WP (Criminal) No. 57 of 2020
- 17 W.P.(C) 4356/2020.



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