

Press Release

The Transgender Persons (Protection of Rights) Bill, 2019 that was passed in Parliament, despite claims to the contrary by the government, is a flawed and regressive piece of legislation for many reasons that are well publicized by the trans community.

We can cite three significant problems with the bill as the trans community sees it:

- The bill betrays a basic lack of comprehension about gender and its complexity. Instead of going by the right to self-determination as mandated by the Supreme Court, the bill decrees that an application needs to be made to a local government official to get an identity certificate.
- The bill does not explicitly state common forms of discrimination in employment, education and housing. And further, there is no mention of affirmative action/reservation for the transgender community in education or employment as there is for other historically marginalized communities.
- There is discrimination in the matter of punishment for crimes against transgender persons. The penalty for sexual violence mentioned in the bill is lower than for such crimes against women and does not define specific physical sexual offenses that transgender persons face.

HRF feels that the Bill does not address concerns of those it is intended for.

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