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# Social Exclusion to Inclusive Framework: The Third Gender Community under Transformation

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## Abstract

The present millennium calls for smart, sustainable, and inclusive growth. For this, the society needs inclusive policies. Social inclusion is critical to address the needs of disadvantaged social groups. An inclusive society is a society that over-rides differences of race, gender, class, generation, and geography, and ensures inclusion, equality of opportunity as well as capability of all members of the society to determine an agreed set of social institutions that govern social interaction (Report of the Expert Group Meeting on Promoting Social Integration 2008). The World Summit for Social Development (1995) defines an inclusive society as a "society for all in which every individual, each with rights and responsibilities, has an active role to play". Such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and the special needs of vulnerable and disadvantaged groups, democratic participation and the rule of law. It is promoted by social policies that seek to cut down inequality and create flexible and tolerant societies that embrace all people.

## Key Words-

Social exclusion, inclusive policies, exclusionary practices, third gender, Hijras

## Social Exclusion: A Conceptual Analysis

The term social inclusion runs as a corollary from the term social exclusion. The meaning of social inclusion remains blurred until its counter concept social exclusion is elaborated and understood. Social exclusion refers to ways in which individuals are cut off or are isolated from the full involvement in the wider society and enjoying the societal privileges and resources. Exclusionary framework consists of dynamic, multi-dimensional processes driven by unequal power relationships interacting across four main dimensions - economic, political, social and cultural - and at different levels including individual, household, group, community, country and global levels (Poppy, J., WHO, 2010). It is a form of discrimination. Levitas et al.,(2007) perceive "Social exclusion is a complex and multi-dimensional process. It involves the lack of or denial of resources, rights, goods and services, and the inability to participate in the normal relationships and

activities, available to the majority of people in a society. It affects both the quality of life of individuals and the equity and cohesion of society as a whole."

Amartya Sen (2000) has pointed out that the historical roots of the concept of social exclusion go back as far as Aristotle. The term social exclusion was used for the first time by former French Secretary of State for Social Action, Rene Lenoir (1974), to refer to the situation of certain groups of people − "the mentally and the physically handicapped, suicidal people, aged invalids, abused children, drug addicts, delinquents, single parents, multi-problem households, marginal, asocial persons, and other 'social misfits'"− whom he estimated to comprise one tenth of the population of France and who were considered vulnerable yet outside the realm of social insurance systems of the welfare state. The concept soon took hold in other developed countries. Today social exclusion has become an oft quoted phrase in academic and policy discourses across countries.

## Transgender: Defining Features

Transgender though a minority by number is one of the most vulnerable, segregated and under-served groups of the society. The depth, degree and dimensions of their exclusion are very high. Transgender is an umbrella term that encompasses all types of gender variant identities.

Earlier the term transgender had been used by Virginia Prince, a pioneer in the cross dresser movement in the US, to stand for a person who lives in the gender "opposite" the one assigned to them at birth but who is not a transsexual (Stryker 2008, 123). It seems that Leslie Feinberg was one of the first to use this as a political, umbrella term.

Transgender is often used to refer to people who "do not conform to prevailing expectations about gender". In a society, sometimes the gender identity and expression of a group of people transgress their normatively assigned sex and there fails to be an alignment between the given sex and the preferred and practised sex. They become the gender deviants and gender non-conforming population. To quote West and Zimmerman (1987) their gender expression breaks cultural expectations for normatively "doing gender". Green (2004) suggests transgender people can be defined as the breaking of gender roles and gender identity and/or going across the boundaries of their assigned gender to another gender.

The definition of transgender is a highly contested one. Kessler and McKenna (2000), stress more on the prefix "trans" added to gender. Trans connotes across, beyond and deviation or change from the normal gender. The authors provide an operational definition for the group on three distinct points. The first point is a group of people, who undergo sex reassignment surgery (SRS) in order to assert their desired gender identity. They basically try to bridge the gap between their imbibed gender identity and their desired gender identity through surgical procedure. It can secondly refer to the cross dressers who try to vacillate between two gender structures, making a move from one to the other as per their desire. The last and third group finds itself beyond the gender binary and desire to lead a life of a third gender category.

The word transgender gives coverage to different categories which are as follows.

• MtF (transgender), assigned male at birth, gender identity is female

• FtM (transgender), assigned female at birth, gender identity is male

•       Agender, ascribes to neither male nor female identity

•       Bigender, ascribes to both male and female identity

•       Gender-fluid, can ascribe more to male today and female tomorrow, or fall somewhere in between

•       Intersex, one whose body doesn't neatly fit into the Male-Female dichotomy;

According to the Transgender Persons (Protection of Rights) Bill, 2016, introduced in the Lok Sabha on August 2, 2016, "transgender persons" is defined as

a) a person who is neither wholly female nor wholly male;

b) A combination of female or male; or

c) Neither female nor male.

Transgender includes different kinds of people such as transsexuals, drag queens and kings, some butch lesbians, and (heterosexual) male cross dressers. These people identify themselves as being transsexual, cross dressers, androgynous, bi-gender, no-gender or multi-gender. Their gender behaviour, expressions and identities part with the prevailing cultural norms and societal expectations implied by their assigned sex at birth. They become labelled as "gender nonconforming," "gender expansive," or most commonly, "transgender."

Transgender people are differently termed in different countries like hijra, kinnars, in India, waria in Indonesia, muxe in Mexico, faafafine in Samoa, kathoey in Thailand and Two Spirit among the indigenous North Americans. They are also known as bakla in the Philippines, xaniths in Oman, serrers among the Pokot people of Kenya, and hijra, jogappas, jogtas, or shiv-shaktis in South Asia(Khan et al.,2009).

Over two years after recognising transgender people as a'third gender' ( April 15,2014) in a historic judgement to ensure them a dignified life, the Supreme Court in the month of June, 2016 clarified to the Centre that its verdict did not incorporate lesbians, gays, and bisexual persons under the category of 'transgender'( The Hindu, July 1, 2016)

A Bench comprising Justices A.K. Sikri and N.V. Ramana threatened to dismiss the government's application with costs, saying that the April 2014 judgement was crystal clear that lesbians, gays and bisexuals had not been included in the category of ''transgender''( The Hindu, July 1, 2016)

The judgement had clearly said that the benefit of 'third gender' would be enjoyed by the transgender community comprising hijras, eunuchs, Kothis, Aravanis, Jogappas, Shiv-Shaktis. etc. (The Hindu, July 1, 2016).

**Determining the World Transgender Population**

The size of the world transgender population is tricky to estimate as it is hidden due to structural and cultural barriers. Very recently, the ice has started melting with the national efforts by the state and non-state actors to create data bank on them for the purpose of designing and

implementing inclusive policies. Their estimated number in the population of selected countries is projected in Table No. 1.

Table-1: Estimated Transgender population of A Few Selected Countries

| Sl. No. | Name of the Country | Census Year | Estimated Transgender Community | Source |
|---|---|---|---|---|
| 1. | U.S.A | 2011 | 7,00000(0.3%) | Williams Institute |
| 2. | Brazil | 2009 | 20,000000(8.35%) | Census Survey |
| 3. | U.K | 2016 | 1026,000(2%) | ONS |
| 4. | Canada | 2017 | 7 Million(20%) | Cumberland News |
| 5. | Australia | 2012 | 3 Million (11%) | Department of Health, Australian Government |
| 6. | Europe | 2016 | 44,587,368(6%) | Survey Report of the European Union |
| 7. | India | 2011 | 4.9 lakh | National Sample Survey |
| 8. | Pakistan | 2017 | 10,418(0.005%) | Census Operation |
| 9. | Bangladesh | 2010 | 10,000(.006%) | Ministry of Social Welfare |
| 10. | Germany | 2017 | 61,09,588(7.4%) | Dalia Research Foundation Report |

Source: Generated through the compilation effort of the author

The landscape of the transgender world is still dark and difficult to crack into. There is a big gap between the estimated population and the actual population of the transgender population. Transgender population is hard to estimate. The heavy dependence on self-declaration and self-identification makes the task hard.

**Identifying the Common Exclusionary Practices against the Transgender People**

LGBTIQ people face widespread discrimination and exclusion in all contexts - including multiple forms of discrimination based on other factors such as sex, race, ethnicity, age, religion, poverty, migration, disability and health status. Children face bullying, discrimination or expulsion from schools on the basis of their actual or perceived sexual orientation or gender identity, or that of their parents. LGBTIQ youth who are rejected by their families experience disproportionate levels of suicide, homelessness and food insecurity. Discrimination and violence contribute to the marginalization of LGBTI people and their vulnerability to ill health including HIV infection, yet they face denial of care, discriminatory attitudes and pathological situation in medical and other societal settings. Transgender people are frequently denied legal recognition of their preferred gender or face abusive requirements such as forced sterilization, treatment or divorce to obtain it, without which they suffer exclusion and marginalization. The exclusion of LGBTI people from the design, implementation and monitoring of laws and policies that affect them perpetuates their social and economic marginalization.

**Psyche and Physic Mismatch among the Transgender People**

They suffer from an identity crisis. This puts them into a disadvantaged position, discriminations and compels them to lead a life of deprivation, exclusion from the vital social processes, vulnerabilities of myriad forms and stigmatization surrounds them. Family members, peers, community fellow beings disown them even shun them. Negligence, humiliations are found to be common to their mundane lives. Their access to work space, housing and health services are

tragically with confinement. They are victims of bullying, physical and psychological violence as well as hate crimes. Severe violations of human rights occur in relation to legal gender recognition. Institutions do not provide them a safe space. The labour market seldom gets ready to accommodate them, the schools do not admit them with enthusiasm, and socially recognised marriage is a mirage for them, kinship derecognises them, politics do not represent them. Thus, their security is endangered. They lead a powerless, property less and prestige less life in the society. Shame, stigma and guilt often dominate their psyche.

The Trans Murder Monitoring Project recorded 1,731 murders of transgender people globally between 2007 and 2014. Many were of a shockingly brutal nature, sometimes involving torture and mutilation. Countries like Malaysia, Kuwait, and Nigeria outlaw transgender people's very existence. In some other countries, transgender people are arrested under laws that criminalize same-sex conduct. Even Section 377 of the Indian Penal Code criminalized homosexual activities. The rights of the transgender people are heavily infringed upon, their access to resources is severely limited, their relations with the general milieu are strained, risks are myriad for them and they rank low in the socio-cultural hierarchy. Their very personhood is challenged. However, a five-judge Bench of Supreme Court unanimously dismissed section 377 of the IPC on 6th September 2018 giving relief to the transgender community.

**Positioning Transgender Exclusion in the Existing Theoretical Foundations of Social Exclusion**

The general exclusion suffered by the third gender can be put into the triplicate dimensions of social exclusion suggested by Garcia Roca (1998).These are a structural or economic dimension referring to a lack of material resources associated with exclusion from the labour market; a contextual or social dimension, expressed in a lack of integration into family life and the community; and a subjective or personal dimension expressed in an erosion of self-worth and increased sense of alienation and anomie.

Transgender population too fit into the three paradigms of social exclusion as described by Silver (1994). The Solidarity paradigm advocated by Silver is embedded in French Republican political ideology, and views exclusion as the breakdown of a social bond between the individual and society that is cultural and moral, rather than economic. The transgender in India and across nations as well, exhibit this paradigm of social exclusion. They too well suit into the specialization paradigm. The Specialization paradigm typifies Anglo-American liberal thought about exclusion. It perceives social actors primarily as individuals, who are able to move freely across boundaries of horizontal social differentiation and economic division of labour. This paradigm holds that exclusion is a form of discrimination. The roots of exclusion are to be found in unenforced rights and market failures. Transgender people suffer from absolute unenforced rights which are for every human being and to protect every human life. The third paradigm that is the monopoly paradigm also holds good for their social exclusion. The Monopoly paradigm, influential on the European Left, sees exclusion as the result of the formation of group monopolies, restricting access of outsiders to resources. This paradigm draws its theoretical foundations from Weber's pronunciations and views the social order as coercive, imposed through a set of hierarchical power relations. Transgender individuals suffering from coercive community power and unequal power relations for their deviant gender identity also do fit into this paradigm of exclusion.

**Inclusive Policies and Programmes for the Transgender: the World Scenario**

Creating an inclusive society is a global priority since a long time. Many of the international conventions aim at protecting gender groups. Reference can be made to the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), recognizes the right to enjoy "the highest attainable standard of physical and mental health" by all persons (Article 12). The CEDAW (1979) Committee's reporting mechanism, had received shadow reports highlighting the human-rights concerns of trans-people. In 1994, the United Nations Human Rights Committee ruled that making discrimination against sexual minorities a violation. A 2011 report by the UN High Commissioner for Human Rights called upon UN member states to repeal discriminatory policies, enact anti-discrimination laws, and ensure protection for sexual minorities. A second report by the high commissioner was issued in 2015. The 2015 W.H.O publication was on Sexual health, human rights and the law addressing vulnerabilities of trans-people.

All these international conventions became the foundations for national laws for social inclusion of transgender people. Argentina broke ground in 2012 with a law declared, anyone over the age of 18 and children with the consent of parents can undergo gender reassignment. In the subsequent three years, four more countries—Colombia, Denmark, Ireland, and Malta—explicitly eliminated significant barriers to legal gender recognition. In 2015, Ireland government instituted identity-based legal gender recognition.

The Nepal's Supreme Court, in a 2007 ruling, ordered the government to recognize third gender category. The ruling helped the activists to advocate with government agencies to include the third gender category on voter rolls (2010), the federal census (2011), citizenship documents (2013), and passports (2015).   In 2009, the Supreme Court in Pakistan and in 2013, Bangladesh recognized the transgender as legal.  Gradually, the New Zealand and Australian Government and the Dutch parliament offered a third category of gender options in their forms.

United Nations entities call on States to act urgently to end violence and discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) adult, adolescents and children. All people have an equal right to live free from violence, persecution, discrimination and stigma. International human rights law establishes legal obligations on States to ensure that every person, without distinction, can enjoy these rights. While welcoming increasing efforts in many countries to protect the rights of LGBTI people, we remain seriously concerned that around the world, millions of LGBTI individuals, those perceived as LGBTI and their families face widespread human rights violations. This is a cause for alarm – and action. Failure to uphold the human rights of LGBTI people and protect them against abuses such as violence and discriminatory laws and practices, constitute serious violations of international human rights law and have a far-reaching impact on society – contributing to increased vulnerability to ill health including HIV infection, social and economic exclusion, putting strain on families and communities, and impacting negatively on economic growth, decent work and progress towards achievement of the future Sustainable Development Goals(SDGs). States bear the primary duty under international law to protect everyone from discrimination and violence. These violations therefore require an urgent response by governments, parliaments, judiciaries and national human rights institutions. Community, religious and political leaders, workers' organizations, the private sector, health providers, civil society organizations and the media also have important roles to play. Human rights are universal – cultural, religious and moral practices and beliefs and social attitudes cannot be invoked to justify human rights violations against any group, including LGBTI persons.

## Protecting Individuals from Violence

States should protect LGBTI persons from violence, torture and ill-treatment, including by:

• Investigating, prosecuting and providing remedy for acts of violence, torture and ill-treatment against LGBTI adults, adolescents and children, and those who defend their human rights;

• Strengthening efforts to prevent monitor and report such violence;

• Incorporating homophobia and transphobia as aggravating factors in laws against hate crime and hate speech;

• Recognizing that persecution of people because they are (or are perceived to be) LGBTI may constitute a valid ground for asylum, and not returning such refugees to a place where their life or freedom might be threatened.

The United Nations and others have documented widespread physical and psychological violence against LGBTI persons in all regions - including murder, assault, kidnapping, rape, sexual violence, as well as torture and ill-treatment in institutional and other setting. LGBTI youth and lesbian, bisexual and transgender women are at particular risk of physical, psychological and sexual violence in family and community settings. LGBTI persons often face violence and discrimination when seeking refuge from persecution and in humanitarian emergencies. They may also face abuse in medical settings, including unethical and harmful so-called "therapies" to change sexual orientation, forced or coercive sterilization, forced genital and anal examinations, and unnecessary surgery and treatment on intersex children without their consent. In many countries, the response to these violations is inadequate, they are underreported and often not properly investigated and prosecuted, leading to widespread impunity and lack of justice, remedies and support for victims. Human rights defenders combating these violations are frequently persecuted and face discriminatory restrictions on their activities.

## Ending Violence and Discrimination against LGBT Community

While this statement refers to lesbian, gay, bisexual, transgender and intersex people, it ought to be also read to mean to other people who face violence and discrimination on the basis of their actual or perceived sexual orientation, gender identity and sex characteristics, including those who may identify with other terms.

## Repealing Discriminatory Laws

States should respect international human rights standards, including by reviewing, repealing and establishing a moratorium on the application of:

• Laws that criminalize same-sex conduct between consenting adults;

• Laws that criminalize transgender people on the basis of their gender expression;

• Other laws used to arrest, punish or discriminate against people on the basis of their sexual orientation, gender identity or gender expression.

In 76 countries, laws still criminalize consensual same-sex relationships between adults, exposing individuals to the risk of arbitrary arrest, prosecution, imprisonment – even the death penalty, in at least five countries. Laws criminalizing cross-dressing are used to arrest and punish

transgender people. Other laws are used to harass, detain, discriminate or place restrictions on the freedom of expression, association and peaceful assembly of lesbian, gay, bisexual and transgender people. These discriminatory laws contribute to perpetuating stigma and discrimination, as well as hate crime, police abuse, torture and ill-treatment, family and community violence, and negatively affect public health by impeding access to health and HIV services.

**Protecting Individuals from Discrimination**

States should uphold international human rights standards on non-discrimination, including by:

• Prohibiting discrimination against LGBTI adults, adolescents and children in all contexts – including in education, employment, healthcare, housing, social protection, criminal justice and in asylum and detention settings

• Ensuring legal recognition of the gender identity of transgender people without abusive requirements

• Combating prejudice against LGBTI people through dialogue, public education and training

• Ensuring that LGBTI people are consulted and participate in the design, implementation and monitoring of laws, policies and programmes that affect them, including development and humanitarian initiatives.

**Transgender Demography of India: A Cursory Glance**

The 2011 Census, the first major census accounting of third gender persons estimated that there are 4.9 lakh transgender populations in the country. Transgender activists estimate the numbers to be six to seven times higher. To the transgender activists, guilt, shame, stigmatization have prevented their true number emerging in the census. The highest proportion of the third gender population, about 28%, was identified in Uttar Pradesh followed by 9% in Andhra Pradesh, 8% each in Maharashtra and Bihar, over 6% in both Madhya Pradesh and West Bengal and well over 4% in Tamil Nadu, Karnataka and Odisha. Rajasthan, Punjab accounted for over 3% and 2% of the total transgender population. The following table-2 projects the transgender population in absolute numbers in a few selected states of the country.

Table-2

Transgender population in absolute numbers in a few selected states of India

| Name of the State | No. of Transgender Population |
|---|---|
| Uttar Pradesh | 13,7465 |
| Andhra Pradesh | 43769 |
| Maharashtra | 40891 |
| Bihar | 40827 |
| West Bengal | 30349 |
| Madhya Pradesh | 29597 |
| Tamil Nadu | 22364 |
| Odisha | 20332 |
| Karnatak | 20266 |

| Rajasthan | 16517 |
|-----------|-------|
| Jharkhand | 13463 |
| Gujurat | 11544 |
| Assam | 11374 |

**Source- Census of India, 2011**

## Social Inclusive Policies and Programmes for Transgender Population in India

Traditionally, transgender popularly known as the Hijras were treated as sacred for Hindu households. It was believed that, bestow of blessings by these hijras would bring good fortune and fertility onto homes and families. So, their appearance was solicited on special occasions like housewarmings, births, and marriages. Their mystical powers were believed to emanate from their ability to live between the sexes. This was a small part of the hijra tradition, but they had a gloomy cultural and social existence. They were ostracized, stigmatized and were under utter neglect. As per a recent observation by Dutt (2012), "The most pathetic condition of eunuchs in the world is in India. All over the world their condition has improved a lot but in India they are still discriminated and are neglected of their true civil rights". Saxena (2011), the chairperson of Salvation of Oppressed Eunuchs (SOOE), explains the life of a typical eunuch in Indian society along with medical and mythological context. He observes how Eunuchs have been systematically marginalized in Indian society partly due to cultural stereotypes and expectations, and partly due to bureaucratic rules that trap them in cycles of homelessness, joblessness with no access to identity documents, bank accounts, and health care facilities.

The voices of the transgender people got echoed by their movements. Through their activists no doubt has become successful in the initiation of inclusive policies in the country. The inclusion efforts of the government of India can be discussed under six categories. They are: Constitutional safeguards, judicial activism for transgender rights, Transgender supportive legislations, Government Programmes for transgender population, civil society achievements in ensuring social inclusive practices and self-efforts of the transgender group itself.

Transgender population are well protected as per the provisions of the Indian constitution. They are covered under the right to equality under Article 14. Article 15 speaks about the prohibition of discrimination on the ground of religion, race, caste, sex or place of birth. Article 19 (1) (a) holds that "no restriction can be placed on one's personal appearance or choice of dressing subject to the restrictions contained in article 19(2) of the Constitution". Article 21 ensures right to privacy and personal dignity to all the citizens. Article 23 prohibits trafficking in human beings as beggars and other similar forms of forced labour and any contravention of these provisions shall be an offence punishable in accordance with law.

However, it should be kept in mind that most of the transgender friendly legislations in India have come up after the judicial verdicts given by the honourable Supreme Court of India. The apex court directed the government to treat transgender people or eunuchs a socially and educationally backward class (SEBC). The court had directed the government to provide them with incentives and reservation benefits in education and jobs in order to help them gain dignity, ability to fight for their constitutional rights and get accepted into mainstream society. Judicial activism has prompted the passing of progressive legislations for this excluded group and to design policies and formulate programmes for their progressive social inclusion. In July 2009, the High Court of Delhi decriminalised Section 377 of Indian Penal code. The then chief justice of the Delhi high court,

Justice Shah (along with Justice S. Muralidhar) had struck down Section 377, saying, "9Section 377) is violated of Articles 21 (Right to Protection of Life and Personal Liberty), 14 (Right to Equality before Law) and 15 (Prohibition of Discrimination on Grounds of Religion, Race, Caste, Sex or Place of Birth) of the Constitution."

Tamil Nadu and Kerala were the first two states to introduce transgender welfare policy which gave free access to sex reassignment surgery (SRS), free housing programs, admission in government with full scholarship for higher studies, income generation programs etc. Among the states, Odisha became the pioneer state in India to give transgender people social welfare benefits - such as a pension, housing and food grains on a serious manner. The state government has decided to accord BPL status to the transgender persons to enable them to overcome their state of abject poverty. To empower the transgender community, the state government has decided that they will now be eligible to get benefits of house site in rural areas under Vasundhara scheme on fulfilling all criteria as indicated in the Orissa Government Land Settlement Rules, 1983. The Odisha government has decided to recruit members of transgender community as warders in jails of the State. In addition to these provisions, the state government has decided to implement five sub-schemes launched by the central government.

The sub-schemes will be implemented by the state government through its newly-created department of Social Security and Empowerment of Persons with Disabilities (SSEPD). The five schemes are:

The parents of every transgender will get a financial assistance of 1,000 rupees per month. For pre-matric scholarship (Class VIII to X) the day scholar will get 150 rupees and the hostellers 350 rupees for 10 months in a year.

The transgender students will get monthly post-matric scholarship (XI and above) of 550 rupees for day scholar and 1,200 rupees for hosteller for 10 months and there will be reimbursement of fees deposited for higher study.

For their skill development, 15,000 rupees will be given per transgender trainee for 200 hours of the course. There will be 30 trainees in one batch. The trainee will get stipend amounting to 1,000 rupees per month. They will get subsidy linked to loan at a maximum 5 lakh rupees to be an entrepreneur.

There are also pension schemes for transgender at 1,000 rupees per month.

- In April 2017, the Ministry of Drinking Water and Sanitation instructed states to allow transgender people to use the public toilet of their choice.
- Odisha State Youth Policy, 2013, Sports and Youth Service Department, Govt. of Odisha, provides for inclusion of transgender youth and sensitization of the society towards the community.
- Department of Social Security and Empowerment of Persons with Disabilities, Govt. of Odisha 22nd Sept, 2015 to deal with matters relating to transgender persons

The government of Odisha has also decided to construct toilets for the transgender population in the public places. In this context,Odisha is considered as the fifth state to have transgender toilets at its capital city Bhubaneswar. Earlier the cities of Bhopal, Mysore had opened a transgender toilet. By taking this step, the government has broken the 'toilet' stigma attached to the

third gender. Beside the state government has written to the Election Commission of India (ECI), requesting it to consider a demand by transgender to ensure five per cent reservation in election to Lok Sabha, Rajya Sabha, state assembly as well as urban and rural local bodies. Odisha, thus, has appeared as the first state in the country to prescribe and recommend highly an intiative i.e. reservation for people belonging to the category of third gender ensuring equal rights. In the meantime, the state government has thought for these trans-people by providing a helping hand-facility for opening a shop independently in each and every vending zone in the urban area specific to Bhubaneswar. These measures undertaken by the Odisha government meant for supporting them will definitely act as a bench marker for the rest states of India. The Andhra Government has decided and declared to construct special toilets in public places, like malls and cinema halls, for transgender people. The State of Bhopal has 'changing rooms/rest room' made available for them. There is signage emblazed on the doors for transgender. Besides this, the Kochi Metro has laid an example by providing rest rooms for all. On 28 November 2017, N. Chandrababu Naidu, the Chief Minister of Andhra Pradesh, announced the enactment of pension plans for transgender people. On 16 December 2017, the Andhra Cabinet passed the policy. According to the policy, the State Government will provide an amount of 1,500 rupees per month to each transgender person above the age of 18 for social security pensions. In addition, the Government will construct special toilets in public places, like malls and cinema halls, for transgender people.

Today non-state actors are taking a prominent role in the process of inclusion of the transgender population. Their reach to this sector, dedication has given birth to successful mobilisation of the transgender to echo their voices in addressing the grievances. They are successfully providing counselling services, helpline services, emergency shelters, reproductive health advice, medical aid, and legal support to this marginalised group. To mention a few Sangini Trust, The Naz Foundation, SAATHI, TARSHI (Talking about Reproductive and Sexual Health Issues),Nazariya are the New Delhi-based NGOs working for the inclusion of the transgender groups. Similarly, Umang in Mumbai, Samapathik Trust in Pune, Sarathi Trust in Nagpur, SAATHI, East West Centre for Counselling and Training in Chennai, Srishti in Madurai and Chennai, Maya4Women (M4W) in Bangalore, Sahayatrika in Kerala, All Odisha Third Gender Welfare Trust and Sakha in Odisha have indulged in spectacular struggle to ensure a better social recognition and quality of life to the transgender population.

However, Transgender persons have themselves gone to the height and have become reference groups for their in-group members. Shabnam "Mausi" Bano is the first transgender Indian or Hijra to be elected into the Madhya Pradesh State Legislative Assembly from 1998 to 2003. Kamla Jaan contested and won the elections from Katni district to become the world's first eunuch mayor. But In 2003, the High Court upheld that Kamla Jaan was not a "woman" and hence she was asked to step down from the post of mayor, reserved for a female candidate. In 2015, Madhu Bai Kinnar became the first openly transgender mayor in India. In the same year, Dr. Manabi Bandopadhyay became the first transgender college principal. In 2016, Padmini Prakash became India's first transgender news anchor on the daily prime-time news program Lotus TV. Kalki Subramaniam a journalist, writer, actor and activist became India's first transgender entrepreneur. Laxmi Narayan Tripathi is a transgender rights activist, Hindi film actress and Bharatanatyam dancer in Mumbai who has served on the boards of several NGOs which conduct LGBT activist work. In the year 2002, she became the president of the NGO DAI Welfare Society, the first registered and working organisation for eunuchs in South Asia. In 2007, she started her own

organisation, Astitiva, which works to promote the welfare of sexual minorities, their support and development. Recently she has been redesigned as Mahamandaleswar of Kinnar Mahasabha and who is supposed to work for the interest of transgender people particularly for those who have undergone sex reassignment surgery (SRS). By participating in Mega Bollywood serial named 'Bigboss' gives the base to establish the third gender status and identity.

India now has a transgender pastor, banker, police inspector, taxi service and modelling agency, bringing global visibility to a formerly marginalized community. In the Indian state of Kerala, the nation's first transgender residential school was recently opened. Sahaj International will offer courses in development to transsexual students. A transgender wedding was held in a temple in Mumbai — Madhuri Sarode, a transgender, married Jay Kumar Sharma in a traditional Hindu ceremony.

## Future Projections

However, these achievements are mostly by names, but not by numbers. Transgender status needs an evolution by real inclusion. Policies need to be translated into a programme of action. Policy inclusion needs a mental inclusion of the general public. There is a need for more focussed attention on this section of the society. Data banks need to be developed on them for providing better policy input. Voluntary activism for the inclusion of these hitherto excluded groups is the need of the hour. Academic researchers need to focus their research insights to study their problems and to proliferate information and literature on the transgender. CSRs of industries need to place the inclusion of transgender in their development agenda. Above all, the transgender population need to come above their own reservations and voice their needs and try to assimilate them in the process of mainstreaming. The concerted efforts can really warranty the real social inclusion of the transgender and bring a reformed world for them. This reformed world is expected to honour the dignity, human rights and ensure equality to this population of the society.

Thus, the hijras or the third gender people in India have covered a long way. They have come from an invisible to a visible state. But, stigmatization and marginalisation continue to exist. Over the years, they have been placed in national enumerations and their identity crisis has got a legal solution. But, the societal acceptance is yet awaited much.

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